

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39479 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Hariom Tiwari Son Of Late Kedar Nath Tiwary Resident Of Village -
Piyanaya, Police Station- Udwant Nagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-02-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 304(B)/34 of the

Indian Penal Code.

It is a case of dowry death due to non

fulfillment of dowry demand.

It is submitted by learned counsel for the

petitioner that the petitioner is innocent and he has

falsely been implicated in the present case. There is no



specific over act of allegation levelled against the petitioner. It is also submitted that deceased herself has committed suicide due to ill motive and petitioner has not harassed or misbehaved with her. From the perusal of the postmortem report, doctor has opined that cause of death is Asphyxia due to hanging. It is further submitted that police personnel has broken the door and they found the body of deceased hanging with fan. Moreover, the petitioner is languishing in judicial custody since 12.09.2021. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail and submitted that petitioner is husband of the deceased.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail in connection with Udwant Nagar P.S. Case No. 393 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur, Arrah.

(Sunil Kumar Panwar, J)

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