

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40907 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- BELDOUR District- Khagaria

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RITESH KUMAR @ NITESH KUMAR SON OF MANOHAR YADAV
RESIDENT OF VILLAGE- MALI, PS- BELDAUR, DISTRICT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 304B, 498A, 201/34 of
the Indian Penal Code and Sections 3/4 of the D.P. Act and later
on converted into Sections 364/34 of the IPC.

3. As per prosecution case, the informant's daughter
was married with the petitioner and after sometime the
informant's daughter informed the informant on telephone that
her in-laws were demanding one Apache motor cycle and Rs. 1
lac and were assaulting her. It is further alleged that under
conspiracy the accused persons killed the daughter of the
informant.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is the husband of the deceased. There is no any prior complaint regarding assaulting, harassment and torturing to the deceased against the petitioner and others. During investigation, several independent witnesses have been examined and they stated that the deceased herself ran away with some person and the family of the petitioner did their level best in order to find her, which is mentioned in paras- 30, 31 and 32 of the case diary. He further submitted that the C.D.R. of mobile numbers used by the daughter of the informant had been described in para-38 of the case diary, which conveys that on the day of occurrence from 7:38 PM to the time when she deserted the house she was in regular touch with one Surendra Yadav, Mayakant Yadav and Vivek Kumar, who were acquaintance with the deceased and the petitioner and his family members even do not know them and the act of the deceased itself shows that she was having a relationship and after making a plan, the deceased ran away with the help of persons, with whom she talked on the day of occurrence. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.11.2022.



5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Beldour P.S. Case No. 68 of 2022.

(Sunil Kumar Panwar, J)

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