

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41192 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- BAJPATTI District- Sitamarhi

Akash Malik Son Of Late Dukha Malik Resident Of Village - Madhopur
Chaturi, P.S.- Bajpatti, District - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 304(B)/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and being elder
brother of the husband of the deceased has been falsely
implicated in the present case as the informant alleges that his
daughter was married to Vikash Malik about eight months
before the occurrence, but for non-fulfilment of dowry demand,
she was killed by Vikash and his family members.

4. It is next submitted that from perusal of the
allegation as alleged in the F.I.R., it would manifest that the
allegation of demand of dowry and torture is general and
omnibus in nature. It is next submitted that whenever such



occurrence takes place, the entire family members in a mechanical manner are implicated, when informant, admittedly, is not an eye witness to the occurrence. It is next submitted that even husband is availing his remedies available in law and has filed Cr. Misc. No.41909 of 2023 which is pending adjudication before this Court.

5. The learned counsel for the petitioner submits that

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Bajpatti P. S. Case No.205 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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