

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41792 of 2023

Arising Out of PS. Case No.-367 Year-2019 Thana- SARAI District- Vaishali

Manish Kumar @ Manish Paswan Son of Ram Pravesh Paswan Resident of
village - Akhtiyarpur Patedha, P.S. - Sarai, Distt. - Vaishli

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 304(B), 201
and 34 of the Indian Penal Code.

Prosecution case relates to commission of murder of
the informant's daughter due to non-fulfillment of dowry
demand.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is the husband of the deceased due to which he has
falsely been implicated in this case. The F.I.R. has been lodged
after the delay of 9 days and informant did not explain anything
regarding delay. There is no prior complain regarding torture or



harassment by the husband. In fact, that informant's daughter (deceased) died due to illness. She was suffering from decease of stomach and when her husband and in-laws have brought her to Hajipur for treatment then petitioner has also informed to parents of the deceased. Thereafter, the family members of the deceased came there but during course of treatment deceased died in presence of her family members. It is also submitted that with the consent of informant and her family members, cremation of the dead body of the deceased has been performed in presence of all family members of both parties. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner has suo-motu surrendered on 24.09.2020 and since then he is languishing in judicial custody.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with S.Tr. No.229 of 2021, arising



out of Sarai P.S. Case No. 367 of 2019 on furnishing bail bond
of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Additional Sessions
Judge-XIII, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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