

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42298 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- KHANPURA District- Samastipur

DURGANAND JHA Son of Ram Vinay Jha Resident of Vill.- Rajwara, P.S.-
Khanpur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
		Mr. Kumar Praveen
For the Opposite Party/s	:	Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 304B of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the FIR, petitioner has tortured in various ways to the daughter of the informant due to non-fulfillment of dowry demand and ultimately she was being killed by throttling.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the deceased and has been falsely implicated in this case. He has never demanded any thing from the deceased. Initially petitioner was not named in



the FIR but during investigation, his name transpired in this case on suspicion basis. At the time of occurrence, petitioner was residing at Gujrat to earn his livelihood and after hearing the unfortunate death of his wife, he returned to Samastipur by train. Prior to the alleged incident, there is no complain regarding ill treatment or harassment by in-laws member or her husband. In fact, deceased was suffering from mental depression and she committed suicide by hanging herself. Petitioner is languishing in judicial custody since 29.05.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering 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 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 ADJ IX, Samastipur in connection with Khanpur PS Case No. 26 of 2022.

(Sunil Kumar Panwar, J)

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