

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43718 of 2023**

Arising Out of PS. Case No.-234 Year-2022 Thana- PIRPAINTI District- Bhagalpur

Yogesh Thakur, S/O Mahesh Thakur, R/O Village- Makrandpur, Ps. Pirpainty,
Dist. Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 964 of 2022 arising out of Pirpainty P.S. Case No. 234 of 2022 dated 20.07.2022 registered for the offences punishable u/ss 304B, 201, 323, 328 read with Section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's daughter by administering poison due to non-



fulfillment of demand of dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner never demanded any dowry nor tortured the deceased. There is no eye witness to the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.07.2022 i.e. for about one year.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with S.Tr. No. 964/ 2022 arising out of Pirpanti P.S. Case No. 234 of 2022 with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and



every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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