

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46269 of 2023**

Arising Out of PS. Case No.-11 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Shivji Kumar S/O Vakil Mandal R/O Village- Chammachak, Ps. Goradih,  
Dist. Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manohar Prasad Singh  
For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      18-09-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner has prayed for regular bail in a  
case registered for the offence punishable under sections  
304(B), 120B of the Indian Penal Code.

3. As per prosecution case, the informant alleged  
that the petitioner and co-accused persons used to torture  
his daughter due to non-fulfillment of dowry demand. It is  
further alleged that they committed her murder after  
administering poison in her food.

4. Learned counsel for the petitioner submits that  
the petitioner is innocent and has committed no offence.  
The petitioner is husband of the deceased due to which he



has falsely been implicated in this present case. There is no prior complaint in respect of demand, harassment and ill treatment levelled against the petitioner. During investigation the brother of the informant stated that the deceased consumed poison and due to which she was continuously vomiting thereafter she was taken to hospital and during treatment she died which is mentioned at Para 9 and 10 of the Case Diary. As per FSL Report, Aluminium Phosphide commercially known as Celphos a severe gastro intestinal irritant is detected. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.01.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jagdishpur (Goradih) P.S. Case No. 11 of 2023 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like  
amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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