

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46222 of 2022

Arising Out of PS. Case No.-156 Year-2020 Thana- PALIGANJ District- Patna

Bankatesh Kumar S/O Arun Singh @ Arun Sharma @ Arun Kumar Singh
Resident Of Village- Fatehpur, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 11-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 498(A), 380, 506, 34 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

The victim/deceased herself is the informant of this case who alleged that her marriage was solemnized with this petitioner in the year 2007 and out of their wedlock, two children were born. The informant was thereafter subjected to torture mentally and physically by the petitioner and ultimately on 15.03.2020, she was



ousted from her matrimonial house. She started living with her parents in her parental house where on 19.04.2020, she was admitted in the hospital for treatment where her fardbeyan was recorded and ultimately on 05.05.2020, she died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is husband of the informant/deceased. The marriage was performed in the year 2007 whereas the victim died in the year 2020 but during this period, no any complaint regarding harassment or torture was filed against the petitioner. The F.I.R itself shows that victim was living in her parents' house and she was taken to the hospital from her parents' house where during treatment, she died. The postmortem of the deceased was also not conducted. The petitioner is languishing in custody since 21.06.2020.

Learned A.P.P appearing on behalf of the State



has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased and he had full responsibility to take care of his wife.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur, Patna in connection with Paliganj P.S. Case No. 156 of 2020(Sessions Trial No. 270/2021).

(Sunil Kumar Panwar, J)

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