

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51950 of 2023**

Arising Out of PS. Case No.-41 Year-2021 Thana- SHIVSAGAR District- Rohtas

Bhuwar Kumar @ Dharmendra Kumar @ Dharmendra Ram Son Of Kailash  
Ram Resident Of Village- Chhotki Chenari, Ps- Shivsagar, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Nagendra Prasad

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

3      17-10-2023                      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 section 304B, 34 of the Indian Penal Code.

3. As per FIR, the allegation against the accused persons including the petitioner is that they committed murder of the informant's daughter due to non-fulfillment of dowry demand.

4. Learned counsel appearing on behalf of the petitioner has submitted that 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. The informant is not an eye witness of the alleged occurrence



and there is no specific allegation levelled against the petitioner. The marriage was solemnized between the petitioner and the deceased nine years before, and out of their wedlock three children were born. There is no prior case of assaulting, torture and demand of dowry lodged against the petitioner. As per Postmortem Report, which is annexed with case diary, doctor opined cause of death due to Asphyxia. It is further submitted that the petitioner is languishing in judicial custody since 23.01.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of 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 Shivsagar P.S. Case No. 41 of 2021 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-V, Rohtas at Sasaram.

**(Sunil Kumar Panwar, J)**

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