

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55560 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- SAHPUR District- Bhojpur

=====

Nitesh Pandey @ Nitish Pandey Son Of Jugeshwar Pandey @ Yugeshwar Pandey Resident Of Village - Shahpur, Ward No.- 5, P.O. And P.S.- Shahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashikant

For the Opposite Party/s : Mr.Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

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

3. It is case of dowry death due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint in respect of dowry demand, harassment and assault. It is further submitted that during investigation, some witnesses



corroborated this fact that the daughter of the informant committed suicide and postmortem report also shows that the cause of death is due to hanging leading to asphxia. There is no eye witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.03.2023.

5. Learned APP appearing for the state and learned counsel for the informant have 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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shahpur P.S. Case No. 90 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 A.C.J.M. 1st Ara.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

