

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54974 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- BISHUNPUR District- Darbhanga

PANKAJ KUMAR, Son of Naresh Prasad @ Naresh Kumar, Resident of Village - Eksari, P.s.- Sheikhpura, Distt.- Sheikhpura, At Prtesent village - Panchobh, P.S.- Bishanpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Bishanpur P.S. Case No. 46 of 2022 registered for the offence punishable under Sections 304(B), 498(A), 306 and 34 of the Indian Penal Code.

The prosecution case alleges that the informant's daughter has been killed by the petitioner along with his family members for non-fulfillment of demand for dowry.

Learned counsel for the petitioner submits that the victim was suffering from depression post Covid and has committed suicide. It is submitted that realizing the mistake of petitioner's implication, informant has subsequently filed a petition in the trial court stating that the FIR was lodged under misinformation, copy of the petition is Annexure-3 of the bail application. The petitioner, under such



circumstances, is in custody since 05.05.2022 and has no antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the submissions advanced on behalf of the petitioner, the petition filed by the informant as well as custody of the petitioner, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Bishanpur P. S. Case No. 46 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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