

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54896 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Dinesh Kumar S/O- Basu Rai R/V- Shakri Saraiya, P.S.-Kudhani (Turki O.P.),
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 22-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Kudhni (Turki O.P.) P.S. Case No. 87 of 2022 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

As per the prosecution, the informant's daughter was murdered by this petitioner (husband of the deceased) and her in-laws over a demand of dowry. Further it is alleged that the informant found the half burnt body of the deceased during cremation.

The main submissions advanced by Mr. Hari Kishore Thakur, learned counsel for the petitioner are that the petitioner is husband of the deceased, in the FIR there is no specific allegation of torture and dowry demand against the petitioner, the father-in-law of the deceased who is named in the FIR has been granted regular bail and four co-accused persons have been granted anticipatory bail by this High Court and the petitioner has been languishing in jail for the last one year and in actual the deceased committed suicide and after knowing the actual facts the deceased's mother, who is the informant, retracted from her earlier version and filed a compromise petition before the Court below and during the investigation no independent witness of the petitioner's village supported the allegations in the FIR and the petitioner belongs to a poor family.

Ms. Dr. Indihar Kumari, learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the privilege of bail having been granted to co-accused persons as stated by petitioner's counsel and also taking into the account the petitioner's custody period, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the

like amount each to the satisfaction of concerned Court in
connection with Kudhani (Turki O.P.) P.S. Case No. 87 of 2022.

(Shailendra Singh, J)

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