

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58525 of 2023

Arising Out of PS. Case No.-1030 Year-2022 Thana- BIHTA District- Patna

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Arjun Kumar son of Butan Yadav Village- Khedalpura Ps- Bihta Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Niwas Prasad, Advocate
For the State	:	Mr. Rina Sinha, APP
For the Informant	:	Mr. Sunit Kumar Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with S. Tr. No. 771 of 2023 arising out of Bihta P.S. Case No. 1030 of 2022 registered on 07.10.2022, for the alleged offences under Sections 341, 323, 304(B)/201/34 of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant was married with the petitioner and allegation against the petitioner and other co-accused persons is that on account of demand of dowry, they killed the informant's daughter and disposed of her dead body.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The entire prosecution story is false and concocted and no occurrence as alleged has ever taken place. Learned counsel further submits that it is clear from the F.I.R. that it was a love marriage and so the demand of dowry is highly unlikely. It was a marriage which was performed without dowry and the daughter of the informant committed suicide. This fact is apparent from the statement of the witnesses recorded in Paragraphs- 43 and 44 of the case diary. The petitioner is in custody since 31.03.2023 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail. Learned counsel for the informant submits that the petitioner is husband of the deceased and allegation against him for causing dowry death of the daughter of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubt over manner of occurrence and probability of false accusation and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the



like amount each to the satisfaction of learned Additional Sessions Judge-II, Danapur, Patna in connection with S. Tr. No. 771 of 2023 arising out of Bihta P.S. Case No. 1030 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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