

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66224 of 2022

Arising Out of PS. Case No.-554 Year-2018 Thana- FATUA District- Patna

KAPIL PRASAD Son of Late Shiva Prasad R/v- Kolhar, P.S.- Fatua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner along with his family members used to torture and assault the informant's daughter due to non-fulfillment of dowry demand. It is further alleged that on 9.8.2018, they assaulted her due to which she sustained injuries and during course of treatment, she died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is father-in-law of the deceased due to which he has falsely been implicated in the present case. The petitioner has no



concern mess and business of the deceased as well as her husband and lives separately from them. It is further submitted that the husband of the petitioner is already in custody upon whom, it was his responsibility to keep his wife well. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 4.8.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatua P.S. Case No. 554 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Patna City, Patna.

(Sunil Kumar Panwar, J)

Amandeep/-

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

