

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68354 of 2022

Arising Out of PS. Case No.-272 Year-2022 Thana- PAHARPUR District- East Champaran

BINOD PRASAD @ VINOD PRASAD S/o Late Kapildeo Prasad R/o
Village- Noneya Chaubey Tola, P.S.- Paharpur, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 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) /201
/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.
Further, on alleged date of occurrence, they killed informant's
daughter after pressing her neck and cremated her dead body.

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



petitioner has never demanded dowry and no concern mess and business of the deceased as well as her husband and lives separately from them. The alleged date of occurrence is 14.7.2022 but the FIR has been lodged in day of seven days on 21.7.2022. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.7.2022.

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 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 Paharpur P.S. Case No. 272 of 2022 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., XI, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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