

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68450 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

DINBANDHU TIWARI Son of Late Haridwar Tiwari Resident of Village-
Masaudha, P.S.- Durgawati, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Pathak
For the Opposite Party/s	:	Mr.Pranav Kumar

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 302/304(B)/34 of the Indian Penal Code.

As per prosecution story, the informant alleged that the marriage of his sister was solemnized with co-accused Sanjay Tiwari in the year, 2019. The petitioner who happens to be the father-in-law of the deceased along with co-accused persons subjected the deceased to cruelty and set her on fire due to non-fulfillment of dowry demand, as a result of which she died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further



submitted vide para-8 of the petition that during course of treatment of deceased in between 12.5.2022 to 23.5.2022, she had not given any statement against her in-laws/petitioner whereas, she had sufficient time to say about the said occurrence. Hence, the present FIR itself creates doubt on it and the petitioner happens to father-in-law of the deceased due to which he has falsely been made accused in the present case. It is further submitted that the main responsibility is upon the husband of the deceased who is already in custody. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 20.5.2022.

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 Durgawati P.S. Case No. 130 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 Chief Judicial Magistrate,



Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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