

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73532 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Kurban, Son of Md. Marhum Makdum, R/V- Singhol, P.S- Muffasil,
Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 498(A) and 306/34 of the Indian Penal Code.

As per prosecution case, petitioner in connivance with all the accused persons used to torture in various ways to the deceased for non-fulfillment of dowry demand as a result of which wife (deceased) of the petitioner committed suicide.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case because of he is the husband of the deceased. There is no specific allegation of overt act against him rather all the allegations are general and omnibus in



nature. There is no prior complain of harassment and cruelty with the deceased by the petitioner. The petitioner is the husband of the deceased and the police has submitted charge sheet u/s 306/34 IPC against him. The other co-accused, namely, Mustari Khatoon has already been granted bail by another Bench of this Court vide order dated 26.07.2022 passed in Cr. Misc. No. 22900 of 2022. The petitioner is languishing in judicial custody since 04.05.2021.

Learned APP appearing for the state has 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 period of 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 Muffasil P.S. Case No. 245 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District Judge-II, Begusarai.

(Sunil Kumar Panwar, J)

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