

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8473 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- MURLIGANJ District- Madhepura

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Deepak Sah Alias Deepak Kumar Sah Son of Bhupendra Sah Resident Of
Village Mirganj, Ps- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

For the Informant : Mr. Shivnandan Bharti, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Murliganj P.S. Case No. 252/2023 lodged on 27.06.2023 under
Sections 302, 304B, 120B, 201/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons, including the
present petitioner with an allegation of killing the daughter of
the informant for non-fulfillment of the dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact, the



petitioner being the husband of the deceased is the victim of the present case. During the investigation, the police did not find the case true under Sections 302, 304B, 120B, 201/34 of the Indian Penal Code rather the case was found true under Section 306 of the IPC and after submission of charge sheet cognizance of offence has been taken under Section 306 of the Indian Penal Code. The petitioner is in custody since 11.07.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail but submits that the chargesheet has been filed under Section 306 of the Indian Penal Code and cognizance has also been taken under Section 306 of the Indian Penal Code.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the allegation of cutting by sharp cutting weapon is there in the FIR. He further submits that the FIR has been lodged under Sections 302, 304B, 120B, 201/34 of the Indian Penal Code.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the



satisfaction of the learned CJM, Madhepura, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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