

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14000 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Anish Kumar, S/o- Jawahar Yadav Village- Jarsen Ps- Saharsa Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 02-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in a case registered for the offence(s) punishable under sections 304B, 302, 323, 341, 120B of the Indian Penal Code.

3. As per the prosecution case, informant, Dinesh Yadav, lodged a case stating therein that his daughter was married to the petitioner and F.I.R. named accused person and Manish Kumar, who was Bhaisur of the deceased killed her daughter by pressing her neck.

4. Learned senior counsel, Mr. Krishna Prasad, has submitted that the specific allegation of throttling to death of the deceased is on Manish Kumar and not on the petitioner. Learned senior counsel further submitted that in post-mortem report, no any kind of external injury was found which falsifies the



allegations of assault. It has further been submitted that when the informant came to know the real fact he filed an affidavit before the Chief Judicial Magistrate in which he has stated that the petitioner is innocent. Petitioner is in custody since 13.01.2023.

5. On the other hand, learned Addl. P.P. opposed the prayer for bail but she has fairly admitted that the allegation of throttling is specifically alleged against co-accused, Manish Kumar and not against the petitioner.

6. Considering the facts and circumstances, this application is allowed.

7. Let the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Additional Sessions Judge-1st, Saharsa, in connection with Sessions Trial No. 167 of 2023, arising out of Saharsa Sadar P.S. Case No.13 of 2023.

(Nawneet Kumar Pandey, J)

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