

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16371 of 2024

Arising Out of PS. Case No.-70 Year-2022 Thana- PAUTHU District- Aurangabad

Vikash Mistry @ Vikash Kumar, aged about 26 years, Male Son of Dashrath Mistry, Resident of Village- Temura, P.S.- Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Pauthu PS Case No. 70 of 2022 instituted for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. As per the prosecution case, it is case of dowry death due to non fulfilment of dowry demand by the petitioner and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. Petitioner being the husband of the deceased has falsely been implicated in this case. No such occurrence has even taken place and there was no any demand of dowry by the petitioner. No specific allegation of overt act has been attributed against the petitioner. Chargesheet has also



been submitted in this case. Petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 04.06.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Sessions Judge, Aurangabad dated 11.12.2023, it appears that petitioner is named in the FIR. From perusal of the FIR, it appears that the case has been registered under Section 304B/34 of the Indian Penal Code against four accused persons including the petitioner and after investigation the Investigating Officer has found the case true under Section 306 of the IPC and there is no any eye witness of the said occurrence, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Aurangabad in connection with Pauthu PS Case No. 70 of 2022.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

