

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17016 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- MAHISHI District- Saharsa

Lal Krishna Kumar Sah Son Of Maheshwari Sah Resident Of Village -
Rajanpur, P.S. - Mahishi, District - Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbu Kumari Wife Of Lal Krishna Kumar Sah, Daughter Of Mahadeo Sah Resident Of Village - Salkhua Ward No.7, P.S. - Salkhua, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 498A, 494, 504 and 34 the Indian Penal Code and Section 3/4 of the D.P. Act.

3. Allegation against the petitioner along with other co-accused persons is that they demanded dowry from the informant/victim and due to non-fulfillment of demand, the husband of the victim tried to kill her by pressing her neck and also tortured her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Petitioner is the husband of the victim due to which he has falsely been implicated in this case. It is further submitted that initially, this case was registered under Section 307 and others but Investigating Officer submitted final form under Sections 341, 323, 494, 498(A), 504, 506 and 34 of the IPC and 3/4 of D.P. Act. So, the allegation of Section 307 has been found false. It is also submitted from para-19 of this petition that petitioner is quite ready to keep his wife(O.P No.2) with full honour and dignity but she had refused to live with him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 11.01.2024.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Mahishi P.S. Case No. 9 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned S.D.J.M., Saharsa.

(Sunil Kumar Panwar, J)

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