

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25620 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

Jitendra Prasad @ Jetendara Prasad, aged about 32 years, Male Son of Kameshwar Prasad, Resident of Village Hakam, P.S. - Mohammadpur, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mohammadpur PS Case No. 265 of 2023 instituted for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, informant's daughter Ruby Devi has been solemnized marriage with the petitioner Jitendra Prasad in the year 2014, according to Hindu Rites and Rituals. After marriage accused person named in the FIR used to torture her for demand of dowry and murdered the deceased and burnt her body.

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. It is further submitted that the petitioner is husband of the deceased and the allegations levelled against the petitioner is totally false and concocted. Further, he also submits that the deceased Rubi Devi died naturally and there was no matter of demand of dowry. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 16.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned 1st Additional Sessions Judge, Gopalganj dated 06.03.2024, it appears that petitioner is named in the FIR. The compromise petition has already been filed in the trial Court as stated in para 17 of the petition in which she has clearly stated that she had been wrongly implicated the petitioner and others, while her daughter had died due to severe stomach pain and her death was natural. Petitioner is the husband of the deceased. It has also submitted that the marriage took place in the year 2014 and the occurrence has committed after ten years of the marriage. There is no any eye witness of the occurrence and no direct or indirect evidence, 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 Additional Chief Judicial Magistrate-VI, Gopalganj in connection with Mohammadpur P.S. Case No. 265 of 2023 corresponding to PTN No. 5034 of 2023.

(Ramesh Chand Malviya, J)

Anand Kr.

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

