

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31090 of 2024

Arising Out of PS. Case No.-112 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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Munna Kumar, aged about 25 years, Male, Son of Sri Dayanand Rai @
Dayanand Ram Resident of Village- Gopalpur, Ward No. 13, P.S.-
Udakishunganj, Dist.- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Singh, Advocate

For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T.
No. 217 of 2022 arising out of Udakishunganj P.S. Case No.
112 of 2022 dated 28.04.2022 registered for the offences
punishable under Section 304B read with Section 34 of the
I.P.C.

3. Earlier prayer for regular bail of the petitioner was
rejected by a Bench of this Court vide Cr. Misc. No. 36868 of
2023 under order dated 07.07.2023.

4. This is a second attempt for grant of bail on behalf
of the petitioner.



5. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's daughter due to non-fulfilment of demand of Rs. 2,00,000/- and a motorcycle as dowry.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the husband of the deceased. The petitioner neither tortured the deceased nor demanded any dowry. It is submitted that the charge sheet has already been submitted in the present case. The petitioner was not present at his house or village on the alleged date and time of occurrence. There is no eye witness to the alleged occurrence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 03.11.2022.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased and the postmortem report showed that the cause of death was asphyxia due to hanging.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above



named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I-cum-Special Judge, SC/ST Act, Madhepura in connection with S.T. No. 217 of 2022 arising out of Udakishunganj P.S. Case No. 112 of 2022 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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