

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35724 of 2024

Arising Out of PS. Case No.-11 Year-2005 Thana- TRIVENIGANJ District- Supaul

Chandeshwari Mukhiya S/O Late Baldev Mukhiya R/O Village- Khoriya
Mishan, P.S- Triveniganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Kishore

For the Opposite Party/s : Mr.Parmanand Prasad

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

ORAL ORDER

4 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 210 of 2022 arising out of Triveniganj P.S. Case No. 11/2005 dated 31.01.2005 registered for the offence punishable u/s 498A, 304B read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's daughter by administering poison due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. There is nothing on record that suggests or shows that the deceased was subjected to cruelty for dowry soon before her death. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.06.2022.

5. 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 informant's daughter. It is further submitted that out of total 9 witnesses, 3 prosecution witnesses have been examined.

6. 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 Court concerned, Supaul in connection with Sessions Trial No. 210 of 2022 arising out of Triveniganj P.S. Case No. 11/2005, with the 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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