

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35830 of 2024

Arising Out of PS. Case No.-704 Year-2023 Thana- KADAMKUAN District- Patna

Mahendra Singh (M), aged about 65 years, Son of Late Kishori Singh, R/O village-House No. 332-B/282, Khatal Gali, Near Guddu Kirana Store, Saidpur, P.S.-Kadamkuan, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vijay Kumar, Advocate
For the Informant	:	M/S. Kumar Malendu and Sunny Kumar, Advocates
For the State	:	Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-07-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Kadamkuan P.S. Case No. 704 of 2023 dated 11.10.2023 registered for the offences punishable under Sections 302, 498A and 120B of the I.P.C.

4. As per the prosecution case, the petitioner and other co-accused persons are alleged to have committed murder of the informant’s daughter due to non-fulfillment of demand of T.V. Freeze, mobile and cash as dowry.



5. 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 father-in-law of the deceased. The petitioner neither demanded any dowry from the deceased nor he tortured and committed murder of the deceased. The marriage took place between the parties on 13.02.2013 i.e., ten years ago. There is general and omnibus allegation against the petitioner. The informant is not an eye witness to the alleged offence. The petitioner is separate in mess and property from the husband of the deceased. He has no concern with the alleged offence. It is further submitted that after investigation, the police submitted Charge Sheet No. 844 of 2023 dated 16.12.2023 for the offences punishable under Sections 306/34 of the I.P.C. against the petitioner and kept investigation pending against the other co-accused persons. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.10.2023.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

7. 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 J.M. Ist Class, Patna in connection with Kadamkuan P.S. Case No. 704 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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