

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41270 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- MAJHAULIA District- West Champaran

JULUM NAT S/O HIRALAL NAT @ EKBALI NAT R/O VILLAGE-
AMWAMAN BAZAR, WARD NO. 1, P.S- MAJHAULIYA, DISTT.- WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Majhauiliya P.S. Case No. 266 of 2023 instituted for the offence
under Sections 304B, 302 & 34 of the Indian Penal Code
(hereinafter referred to as 'the IPC').

3. Prosecution case in a nutshell is that sister of the
informant was done to death at her matrimonial house due to
non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-04-2023. Petitioner is
stated to be man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the brother in law of the husband of the deceased. He is separate in mess and property from the husband of the deceased. It is submitted that no such occurrence as alleged in the FIR has ever taken place, rather, she has committed suicide. Referring to the postmortem report, which is annexed as Annexure-2 to the bail application, it is submitted that cause of the death is asphyxia as a result of hanging and except a ligature mark on her neck, no injury was found. It is lastly submitted that police after investigation has submitted charge sheet under Section 306, 201 & 34 of the IPC and even the cognizance has been taken for the offence under Sections 306, 201 & 34 of the IPC. It is further submitted that husband of the deceased has been enlarged on bail vide order dated 05.03.2024 passed in Cr. Misc. No. 13453 of 2024 by this Court.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and the fact that charge is already framed, this



Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Majhauriya P.S. Case No. 266 of 2023.

(Rudra Prakash Mishra, J)

Prakash/-

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