

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43873 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- DEEPNAGAR District- Nalanda

Dharmendra Kumar S/o Pradeep Mistri R/o Village- Deep Nagar, P.S.-Deep Nagar District-nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No. I

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner, informant and learned APP for the State.

2. The petitioner seeks bail in connection with Deepnagar P.S. Case No. 291 of 2023 instituted for the offences punishable under Sections 304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in short, is that the accused persons committed torture and thereafter committed murder of the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is the husband of the deceased. There is no eye-witness to the alleged occurrence. There is no specific overt act



alleged against the petitioner. It is next submitted that the wife of the petitioner committed suicide in absence of him, while he had gone to other place for work. The other co-accused has already been granted bail by this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 12567 of 2024. The petitioner is in custody since 22.07.2023 and has no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not already framed**, 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 Deepnagar P.S. Case No. 291 of 2023.

(Rudra Prakash Mishra, J)

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