

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50156 of 2023

Arising Out of PS. Case No.-363 Year-2022 Thana- MUFFASIL District- Aurangabad

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Dharmendra Giri @ Dharmendra Kumar Giri S/O Late Ganesh Giri R/O
Village- Karo, Ps. Chitwada Gawan, Dist. Baliya (INCORRECTLY
Mentioned In Impugned Order As Bliya (UTTAR Pradesh)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 18-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 304(B)/34 of the Indian Penal
Code.

It is a case of dowry death of informant's daughter
by petitioner along with other co-accused persons due to non
fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and he has falsely been
implicated in the present case. It is further submitted that



prior to her marriage, deceased had love affair with co-accused Abhishek Goswami, with whom deceased had exchanged obscene videos and photos. After her marriage, she was blackmailed on pretext of releasing those videos and photos to public and due to this, deceased herself committed suicide. It is submitted vide para 10 of the petition that petitioner had informed the informant about the death of her daughter and the body was sent for postmortem. From perusal of the postmortem report, it appears that cause of death was due to asphyxia as a result of antemortem hanging and cervical vertebra fracture. There is no eye witness of the alleged offence and the name of petitioner sprang up in this case merely on the basis of suspicion. Moreover, petitioner is languishing in judicial custody since 18.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Aurangabad Muffasil P.S. Case No. 363 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge XII, Aurangabad, Bihar.

Appearance of I.O. of the present case is hereby dispensed with warning to remain vigilant in future in respect of investigating the case.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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