

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64077 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Lalkun Tanti @ Lalkun Kumar S/o Late Vikho Tanti @ Bhikho Tanti R/o
village- Sinwara ward no. 11 P.S.- Udakishunganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

ORAL ORDER

2 05-10-2024 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 S.T. No. 99 of 2024 arising out of Udakishunganj P.S. Case No. 349 of 2023 dated 11.11.2023 registered for the offences punishable u/s 304(B) read with section 34 of the Indian Penal Code and ¾ of the D.P. Act later on under section 302 of the I.P.C. has been added.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have strangled the informant's daughter to death due to non-fulfillment of demand of dowry under conspiracy.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the deceased. It is further submitted that out of 12 charge sheeted witnesses 9 witnesses have been examined and no one has supported the prosecution case. The petitioner has clean antecedent as stated in para 3 of the bail petition. It is further submitted that the informant (PW-3) has in his cross-examination stated that her daughter was not subjected to torture for the sake of dowry. Her daughter has been suffering from ailment and she died during the course of treatment and (PW- 1), brother of the deceased has not supported the prosecution case. The petitioner is in custody since 12.12.2023. The charge sheet has been submitted u/s 302 of the I.P.C.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the allegation levelled against the petitioner 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, Madhepura in connection with S.T. No. 99 of 2024 arising out



of Udakishunganj P.S. Case No. 349 of 2023, with a
condition/s:-

(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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