

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70128 of 2023

Arising Out of PS. Case No.-396 Year-2021 Thana- RIGA District- Sitamarhi

=====

Santosh Kumar Son Of Madan Baitha Resident Of Village- Sankhi, Ward No. 03, Ps- Riga, Distt- Sitamarhi,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Harendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B) and 34 of the Indian Penal Code.

3. It is a case of dowry death of the informant's daughter by the accused persons due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. There is no prior complain in respect of dowry demand, harassment and assault. It is further submitted from para-9 of this petition that petitioner was not



present at the place of occurrence rather he was in Dehradun at that time for his livelihood and also submitted that the deceased committed suicide by hanging herself who was suffering from depression. From perusal of the postmortem report, doctor opined that the cause of death of the deceased is due to hanging. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Riga P.S. Case No. 396 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

