

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71107 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Suman Bharti, S/o Dinkar Choudhary, R/o Village- Singhaul Dih, P.S.-
Muffasil (Singhaul O.P.), Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the informant. Perused the

case diary.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 498(A),
302/34 of the Indian Penal Code and Section 3/4 of the D.P. Act
and charge sheet was submitted under Section 306/34 of the
I.P.C.

3. It is a case of causing death of his wife by the
petitioner due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. Petitioner is
the husband of the deceased and he has been falsely implicated



in this case. There is no prior complaint with respect to dowry demand or torture and harassment against the petitioner. In fact, the deceased committed suicide by hanging herself as it come in para 26 of the case diary also. It is further submitted in para 10 of the petition that on perusal of statement of witnesses in para 26 and 27 of the case diary, it is clear that when the deceased committed suicide, the informant was present in her matrimonial house but he intentionally with a motive to implicate petitioner in the case left the house and on next day of occurrence filed written report on the basis of concocted story. It is a case of hanging and in postmortem report, the doctor opined that death was due to asphyxia as a result of hanging. Petitioner has got no criminal antecedent and languishing in judicial custody since 14.04.2023.

5. Learned APP appearing for the state and learned counsel for the informant have has opposed the prayer of regular bail and submitted that petitioner is husband of the deceased and he must be responsible to keep his wife with proper behavior and dignity but he did not do so.

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 Begusarai Muffasil (Singhaul O.P.) P.S. Case No. 213 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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