

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75425 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

Devendra Kumar Rai Son Of Jagnarain Rai Resident Of Village-
Mohammadpur, Ps- Bhagwanpur Hat, Distt- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304B/34 of the Indian Penal Code and Sections 3/4 of the DP Act.

3. The prosecution case, in brief, is that the petitioner along with others used to torture and assault the informant's daughter due to non-fulfillment of dowry demand. It is further alleged that on 12.7.2022, the informant came to know that his daughter was committed murder by pressing neck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint against



the petitioner in respect of torturing or misbehaving with the deceased. It is submitted vide para 6 & 9 of the petition that the petitioner is working in a private firm as a mechanic in Bangalore and he was not present on that place at the time of occurrence. The real fact is that the deceased has been suffering from various ailments especially relating to mental abnormality, who committed suicide herself by hanging in absence of her family members. According to the postmortem report, doctor opined the cause of death is Asphyxia as a result of hanging. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 2.8.2023.

5. Learned APP appearing for the state and learned counsel for the informant have 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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhagwanpur Hat P.S. Case No. 198 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned SDJM, Siwan.

(Sunil Kumar Panwar, J)

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