

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73325 of 2023

Arising Out of PS. Case No.-366 Year-2023 Thana- MALSALAMI District- Patna

Rohit Kumar S/O- Kanchan Mahto R/O- Village- Chhoti Nagla, Brahmsthan,
P.S.- Malsalami, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudra Deo, Advocate
For the State	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Rahul Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Malsalami P.S. Case No.366 of 2023 registered under Sections
304B/34 of the I.P.C.

3. As per prosecution case, the daughter of the
informant, who was married to the petitioner, was subjected to
torture by the petitioner and his family members for non-
fulfillment of demand of dowry and ultimately they killed her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The deceased (victim) was suffering from disease of G.B.
Stone and she was treated in AIIMS, Patna and in private
hospital as well as in P.M.C.H. but she died in O.T. of P.M.C.H.,
Patna. In postmortem report, no ante-mortem injury was found.



The petitioner is in custody since 26.05.2023 having clean antecedent. The charge sheet has already been submitted. There is no chance of absconding or tampering with the evidence by the petitioner.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of the parties and the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st, Class, Patna City, Patna in connection with Malsalami P.S. Case No.366 of 2023 subject to the condition that:

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(Sunil Dutta Mishra, J)

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