

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73841 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- SUIYA District- Banka

SANJAY MARIK Son of Rajendar Marik Resident of village - Dhabakol,
Police Station - Suiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 27-02-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 304B, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have killed the deceased who was his wife.

4. Learned counsel for the petitioner submits that there is no allegation of demand of dowry in the F.I.R. and the petitioner is in custody since 31.05.2023. He further submits that it was love marriage and because the couple could not have any children, the deceased was depressed and had tried to commit suicide one year earlier also.

5. Learned A.P.P. has vehemently opposed the



prayer for bail.

6. From the *post mortem* report, it appears that death has been caused due to *asphyxia*.

7. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

8. Let the petitioner, above named, be released on bail *after framing of charge if the charge has not been framed yet* and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka/concerned Court below in connection with Suiya P.S. Case No. 73 of 2023 subject to condition that:-

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

(Sandeep Kumar, J)

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