

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3806 of 2024

Arising Out of PS. Case No.-412 Year-2022 Thana- AMARPUR District- Banka

Kundan Kumar S/o Narayan Prasad Singh R/o village-Berma Pachhiyari Tola,
P.S-Amarpur, District-banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Amarpur P.S. Case No.
412 of 2022, instituted for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other family members killed the daughter of the
informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and the
petitioner has falsely been implicated in this case. The petitioner
is the *devar* of the deceased. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
The petitioner has no any criminal antecedent as has been stated
in paragraph no. 3 of the present bail application. Learned



counsel for the petitioner further submits that several similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court vide Annexure-2 to this application. Moreover, learned counsel for the petitioner submits that the main accused, i.e. the husband of the deceased has already been granted bail by a Co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 4838 of 2023. The petitioner is languishing in judicial custody since 13.10.2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amarpur P.S. Case No. 412 of 2022.

(Rudra Prakash Mishra, J)

Rajorshi/-

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