

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86053 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- KALYANPUR District- East Champaran

Soyeb Akhtar S/o Hajarat Ali R/o vill-Sishwa, P.S-Kalyanpur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Kalyanpur P.S. Case No. 23 of 2023 for the offences registered under Sections 304(B) and 120(B) of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioner is that he along with other co-accused persons killed the daughter of the informant for dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The alleged occurrence took place on 17.01.2023 and F.I.R. has been lodged on 20.01.2023 without giving any reason for delay. He further submits that the case has been lodged after post-mortem. The petitioner was residing in Mumbai for his



livelihood since last one year. He has no concern with the alleged occurrence. It is further submitted that date of marriage is 21.11.2011 and the alleged occurrence took place on 17.01.2023 and accordingly, no case is made out under Section 304(B) of the Indian Penal Code. F.I.R. has been lodged with ulterior motives as the family members of the informant had also participated in the last rite of the deceased. Petitioner has no criminal antecedent. He has surrendered himself in the Court on 22.09.2023 and since then he is in judicial custody.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Kalyanpur P.S. Case No. 23 of 2023.

(Sunil Dutta Mishra, J)

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