

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28920 of 2015**

Arising Out of PS.Case No. -13 Year- 2013 Thana -MAHILA PS District- JEHANABAD

Kumar Gaurav, son of Late Anil Kumar, resident of village- Karhari Mathia  
P.S.- Parasbigha, District- Jehanabad

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Aditya Narayan Singh-1, Advocate  
For the S t a t e : Smt. Anusaiya Jaiswal(APP)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

6      02-12-2015                      Heard learned counsel for the petitioner and the  
  
learned counsel for the informant as well as the learned  
  
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in  
connection with Jehanabad (Mahila) P.S. Case No.13 of 2013  
for allegedly having committed the offence under Sections  
304B/120B of the Indian Penal Code and Section 4 of the  
Dowry Prohibition Act.

Learned counsel for the petitioner submits that, in  
fact, it was a case of suicide, for which a case of unnatural  
death has also been registered by the petitioner. It is further  
submitted that the petitioner had duly informed the family  
members of the deceased who had come and participated in

the cremation and thereafter after lapse of about ten months, the present F.I.R. was instituted against the petitioner.

Learned counsel appearing on behalf of the informant submits that it was not a case of suicide; rather the petitioner had after hanging the deceased in the ceiling fan escaped from the rear door and thereafter a rumour was created that the house was closed from inside.

Learned counsel for the State after perusal of the case diary and considering the medical report as well as the other materials which have surfaced in the case diary submits that it appears from all materials which have surfaced that the girl in question had committed suicide as the door was closed from inside. The delay in filing the present case was also not explained by the informant.

Considering the entire gamut of circumstances and also the fact that the petitioner is a service personnel, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jehanabad, in

connection with Jehanabad (Mahila) P.S. Case No.13 of 2013,  
subject to the conditions as laid down under Section 438(2) of  
the Code of Criminal Procedure.

It is made clear that the petitioner shall make  
himself available at all material times during the course of  
trial, so that the trial is not prejudiced in any manner.

**(Anjana Mishra, J)**

PNM

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