

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63197 of 2017

Arising Out of PS.Case No. -691 Year- 2017 Thana -PHULWARI District- PATNA

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1. Govind Kumar @ Kumar Govinda, Son of Satyendra Kumar, Resident of village- New Ranipur, P.S. Phulwarisharif, District- Patna at present resident of Flat NO. 204, Building No. 8, Hawre City, Thane- 400615.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 01-02-2018 Heard the learned counsel for the petitioner and learned APP for the State.

In this application, the petitioner apprehends his arrest for the offences in connection with Phulwarisharif P.S. Case No. 691 of 2017 punishable under Sections 304(B), 120-B/34 of the Indian Penal Code.

Prachi Kumari @ Lalsa , daughter of the informant was married to Gaurav Kumar in the year 2008 in Anishabad Temple and after sometime of *Gouna*, the mother-in-law and sister-in-law started torturing her for non-fulfillment of demand of cash and this was within the knowledge of father-in-law and the petitioner and both were assisting them. Nearby persons told the informant that Gaurav Kumar, the husband was crying that he killed her.



Submission is of false implication and that no offence under Section 304-B IPC is made out. Admittedly the marriage was performed in the year 2008 and the occurrence is of 2017. Against the petitioner, who is *Dever*, there is no specific allegation for demanding dowry or killing the deceased. From plain reading of the FIR itself, no offence as alleged is made out against the petitioner and, as such, he deserves sympathetic consideration.

Learned APP fairly submits that marriage was performed in the year 2008.

Considering the facts and circumstances as stated above, the petitioner, in case of his surrender or arrest within four weeks from the date of receipt/production of a copy of this order shall be enlarged on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate, Patna in connection with Phulwarisharif P.S. Case No. 691 of 2017 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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