

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1460 of 2018

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

=====

Satyendra Kumar @ Satyendra Sharma, S/o Late Suresh Sharma, Resident of
Village- New Ranipur, P.O.+P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. SRI TARUN PRASAD MANDAL

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsels for the petitioner and State.

The petitioner being the father of the husband of the victim, Prachi Kumari @ Lalsa Kumari is apprehending arrest in a case registered for the offences punishable under Sections 120B and 304B/34 of the IPC.

The prosecution case is that the daughter of the informant was married with the son of the petitioner, Gaurav Kumar in the year 2008. Thereafter, the accused persons used to torture the victim for non-fulfillment of the further dowry demand. The informant sold certain properties for performance of marriage of his younger daughter, Soni Kumari, but when the wife of the petitioner Kumkum Devi and daughter Diksha Kumari came to know about the same, they started pressurizing the informant to fulfill further dowry demand. It is specifically alleged that the



wife and daughter of the petitioner administered poison to the victim, as a result of which, the victim died on 31.10.2017. It is alleged against the petitioner that the petitioner never restrained his wife and his daughter from inflicting torture upon the victim.

It is submitted by learned Senior Counsel for the petitioner that as per own admission of the informant, the marriage was performed about nine years prior to the lodging of the present case, hence the case does not come within the purview of Section 304B of the IPC. There is no specific accusation against the petitioner. The thrust of accusation is against the wife and daughter of the petitioner and husband of the victim, who is already in custody. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that the thrust of accusation is against the husband of the victim, who is in custody and as per own admission of the informant, the case does not come within the purview of Section 304B of the IPC, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Patna in connection with Phulwarisharif P.S. Case No. 691 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

