

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6529 of 2020**

Arising Out of PS. Case No.-5 Year-2019 Thana- SINGHWARA District- Darbhanga

BIRENDRA KUMAR BHAGAT @ BIRENDRA BHAGAT S/o Shyam  
Bhagat R/o village- Sanahpur, P.S.- Singhwara, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kritya Nand Jha  
For the Opposite Party/s : Mr.Khurshid Anwar

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      24-06-2020      Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 498A, 306/34 of the Indian Penal Code.

Allegation against the petitioner is of torturing the daughter of Informant alongwith FIR named accused for non fulfillment of demand of dowry and thereafter killing her after administering poison.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion and being the husband of the deceased. Marriage was solemnized in the year 2009 and from said wedlock 3 children were born as such allegation of demand of dowry and torture is false and fabricated. It has been submitted that the deceased



committed suicide by consuming poison due to weak mental health and petitioner and his parents took her to DMCH and took every step to save her and also informed her parents. Petitioner is a chronic patient and is suffering from Candeequina Syndrome. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Singhwara P.S. Case No. 5 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution will be at  
liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

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