

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7124 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- MANJHAGARH District- Gopalganj

NAVIN KUMAR Son of Radheshyam Sah Resident of Village- Phulwariya,
P.O. Narhwa Shukul, P.S.- Kuchaikota, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Shrivastwa, Advocate
For the Opposite Party/s	:	Mr.Veena Rani Prasad, APP
For the Informant	:	Mr.Ashar Mustafa, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

The informant alleges that his daughter was married with Vivek Kumar @ Munna Kumar on 24.04.2020, thereafter both of them were living as tenant in the house of Amrita Tiwari, further the brother of Amrita Tiwari, namely, Manoj Tiwari and other accused persons used to visit regularly in the said house and when once the informant had gone to meet his daughter, the aforesaid accused persons along with the petitioner



were there and all of them did not allow the informant to meet his daughter till dowry demand of Rs. 4 lakhs is not fulfilled. It is next alleged that after a few days, the informant alongwith villagers went to meet his daughter but the house was locked, the accused persons were absconding and when he tried to contact on their mobile, the mobile was found switched off thus alleges that his daughter might have been killed for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the present case, the informant is not an eye-witness to the occurrence and the petitioner is brother of Vivek Kumar (the husband of the daughter of the informant). It is next submitted that from perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that once when he had gone to meet his daughter, he saw this petitioner also sitting in the house, it is thus submitted that the entire allegation hinges around suspicion and the husband of the victim is already in custody.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned



counsel for the petitioner that apart from suspicion there is nothing against this petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Manjhagarh P.S. Case No. 141 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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