

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22420 of 2022

Arising Out of PS. Case No.-37 Year-2012 Thana- SARAI District- Vaishali

=====

Nageshwar Singh, S/O Late Lila Singh Resident Of Village- Sisuni Prabodhi,
P.S.- Sarai, District- Vaishali At Hajipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal
For the Opposite Party/s : Ms. Madhuri Lata

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 302,
201 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that his daughter was married to Arvind Singh about 10
years ago and after marriage, Arvind Singh and his family
members started demanding a colour television and a
motorcycle and on account of non-fulfilment of the demand, the
deceased was tortured and assaulted. It is next alleged that
Arvind Singh performed his second marriage and thereafter,
torture continued. Further, on 22.02.2012, the family members



of the husband of the deceased including the petitioner killed his daughter after assaulting her and cremated her dead body in Patna.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that petitioner is father-in-law of the deceased. Further, from perusal of the allegation in the F.I.R., it would manifest that the same is general and omnibus in nature as far as petitioner is concerned. It is next next submitted that even the marriage was 10 years ago, but no complaint ever came to be instituted by the informant or his daughter regarding demand of dowry. It is further submitted that police after investigation submitted final form, but the learned trial Court differing with the police report took cognizance. It is next submitted that when one investigating agency has found the case to be false then sending the petitioner to jail based on cognizance which was taken on the material which transpired in the investigation may not be prudent.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum 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 in connection with Sarai P. S. Case No.37 of 2012, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

