

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46010 of 2022**

Arising Out of PS. Case No.-11 Year-2022 Thana- WARISLIGANJ District- Nawada

NITISH KUMAR S/O PRAMOD KUMAR @ PRAMOD PRASAD Resident  
of Village- Baghi, P.S.- Warsaliganj, District- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      27-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is brother-in-law of the deceased and the informant alleges that his daughter was married to Utpal Kant @ Pintu Prasad in the year 2018. After marriage, the accused persons, including the petitioner, were torturing his daughter for dowry of Rs. 5 lakh, it is next alleged that due to non-fulfillment of dowry demand the victim was killed by poisoning.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that it was the husband of the deceased who had informed the informant that his daughter has consumed poison, it is also submitted that informant participated in the cremation after post-mortem of the body was done, it is next submitted that had the accused persons, including the petitioner, would have killed the deceased, then definitely they would have tried to dispose of the body and the body would not have been sent for post-mortem. It is also submitted that informant realizing his mistake on intervention of well-wishers filed a joint compromise petition, as it has been specifically stated at Para-12 of the anticipatory bail application, the learned counsel for the petitioner next submits that though the offence is not compoundable, but since the compromise petition has been filed and the petitioner is related to the deceased in the manner as indicated hereinabove and the allegation against him are general and omnibus in nature and the petitioner is separate in mess and property from the husband of the deceased, hence the case for anticipatory bail be considered, it is next submitted that similarly situated co-accused Manish Kant, Pramod, Renu Devi have been granted anticipatory bail by order dated 07.09.2022 in Cr. Misc. No. 39435 of 2022.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the 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 trial court 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 trial court where the case is pending/successor court in connection with Warsaliganj P.S. Case No. 11 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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