

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69215 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- SAHPUR District- Patna

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AJAY RAI @ AJAY KUMAR Son of Butai Rai Resident of Village-
Hathiakan, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate
For the informant	:	Mr. Shadab Akhtar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-09-2022 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 304(B) and 201/34 of the Indian Penal Code.

The informant alleges that his daughter was married to the petitioner in the year 2013 and a gift of Rs. 5,00,000/- was given at the time of marriage but the accused persons including the petitioner were demanding an Apache motorcycle, it is next alleged that his daughter was killed on 20.03.2020 and her body was disposed of, it is next alleged that a search was made but nothing was found and all the accused persons have fled.

Learned counsel for the petitioner submits that the marriage between the petitioner and the deceased was



solemnized in the year 2011 and it appears that informant has incorrectly in the FIR alleged that the marriage was performed in the year 2013, it is next submitted that there was absolutely no demand of dowry and out of the wedlock, two children were born and both the children are staying with the petitioner. Learned counsel submits that in between these 11 years of marriage no complaint ever came to be instituted, it is also submitted that the informant had participated in the cremation and thereafter instituted the present case for reasons well known to him.

Learned counsel for the informant very categorically submits that the marriage was solemnized in the year 2011, it is further submitted that he had participated in the cremation and when he came back home, on ill advice of his family members the present case came to be instituted. Learned counsel next submits that petitioner or his family members never demanded any dowry nor in these 11 years of marriage any case came to be instituted between the parties.

Considering the submissions made by the learned counsel for the parties and also the fact that the informant now is resiling from his allegations and the young children who are aged about 3-5 years are staying with 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 Sahpur P.S. Case No. 114 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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