

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33318 of 2023**

Arising Out of PS. Case No.-324 Year-2014 Thana- FATEHPUR District- Gaya

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AMRITESHWAR KUMAR AGRAWAL @ RANJEET KUMAR SON OF
LATE SHIVNANDAN PRASAD RESIDENT OF VILLAGE- SIPAH, PS-
DEEPNAGAR, DISTRICT NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 24-07-2023 Heard learned counsel appearing on behalf of the parties.

2. The present case was taken on Board, for the reason, as stated through mentioning slip.

3. The petitioner seeks bail in connection with Fatehpur P.S. Case No.324 of 2014 registered for the offence under Sections 304B and 201/34 of the Indian Penal Code.

4. The accused/petitioner is named in the F.I.R. and is in custody since 17.02.2023.

5. The allegation against the petitioner is to cause death of daughter of the informant, along with other co-accused persons/family members, due to non-fulfillment of demand of dowry, as raised for cash and a piece of land, for



proposed petrol pump.

6. Learned counsel appearing on behalf of the petitioner submitted that the marriage of the petitioner with daughter of the informant was never solemnized, as alleged. It is submitted that as the marriage negotiation was under process and in the meantime, murder of daughter of the informant took place, present false implication was raised against petitioner. It is submitted that even the I-Card of the deceased is showing the name of her father not this petitioner's, as husband. It is submitted that during investigation several independent witnesses denied solemnization of marriage between this petitioner and the deceased daughter of the informant. It is pointed out by learned counsel that the dead body of deceased was recovered from a *Nala* (Drain), which is an open place, where, cause of death is mentioned as asphyxia due to 'drowning'. It is also submitted that though head injuries was noticed upon the deceased but same was not found as her cause of death. It is further pointed out that the petitioner is a loco pilot and as per official record, on the date of occurrence, he was on duty. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet



has already submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, while opposing the prayer of bail, submitted that thrust of allegation is available against this petitioner, being husband.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as dead body of daughter of the informant found from a *Nala* (Drain), which is an open place, where, cause of death is asphyxia due to 'drowning' coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 17.02.2023, let the petitioner, above named, is directed to be released on bail in connection with Fatehpur P.S. Case No.324 of 2014, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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