

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45552 of 2023**

Arising Out of PS. Case No.-297 Year-2022 Thana- CHAKAND District- Gaya

Shiv Shankar Kumar Son Of Jitendra Yadav Resident Of Village - Bindaul,
P.S.- Chakand, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 30-10-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Chakand P.S. Case No. 297 of 2022 dated 04.10.2022 registered for the offences punishable under Sections 341, 323, 307 and 304B read with 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused persons are alleged to have committed murder of the informant's sister due to non-fulfillment of demand of dowry. It is further alleged that when the informant went to take the dead body of his sister



from the police station then the petitioner along with 5-6 unknown persons started assaulting the informant and his family members.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that the injury is simple in nature. The petitioner is *bhagina* of the co-accused Vikash Kumar. It is further submitted that there is no allegation of demand of dowry against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the allegation against the petitioner is of assaulting the informant and his family members.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Chakand P.S. Case No. 297 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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