

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55529 of 2022

Arising Out of PS. Case No.-143 Year-2020 Thana- GAIGHAT District- Muzaffarpur

1. GAURAV KUMAR @ GAURAV SINGH Son of Sri Devendra Singh Resident of village- Sakarbara Nur, P.S- Gaighat, District- Muzaffarpur
2. Devendra Singh Son of Late Laxmi Singh Resident of village- Sakarbara Nur, P.S- Gaighat, District- Muzaffarpur
3. Raju Kumar @ Raju Singh Son of Late Hari Narayan Singh Resident of village- Sakarbara Nur, P.S- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saptashwa Singh, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 15-05-2023 Heard Mr. Saptashwa Singh, learned counsel appearing on behalf of the petitioner and Mr. Narsingh Tanti, learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Gaighat P.S. Case No. 143 of 2020, dated 03.06.2020, registered under Sections 304B and 120B of the I.P.C.

The prosecution story in brief is that the informant has alleged that due to non-fulfillment of demand of dowry, the accused persons named in the F.I.R., who are in-laws of the deceased had committed murder by hanging the daughter of the informant.

Mr. Saptashwa Singh, learned counsel appearing on



behalf of the petitioner informs this Court that during the pendency of the present bail application, petitioner no.2 namely Devendra Singh was arrested and as such prayer for anticipatory bail on behalf of him has become infructuous.

Considering the aforesaid information made by the learned counsel for the petitioner, the present application so far as the above named petitioner no.2 is concerned, has become infructuous.

Accordingly, the anticipatory bail application of above named petitioner no. 2 is dismissed as having become infructuous.

Learned counsel appearing on behalf of the petitioner submits that so far as petitioner no.1 namely Gaurav Kumar @ Gaurav Singh is concerned, he is aged about 19 year and he was not present on the alleged date of occurrence i.e. on 03.06.2020.

So far as petitioner no.3 namely Raju Kumar @ Raju Singh is concerned, he is brother-in-law of the husband of the deceased and he lives in another village and had never demanded dowry or has any connection with the family matters of the deceased and her husband.

Learned A.P.P. appearing on behalf of the State opposes the anticipatory bail application by referring Post-



mortem report, in which the cause of death is due to asphyxia and admittedly the daughter of the informant was found hanging and injuries have been found on knee and hand of the deceased.

Heard the rival submissions made by the parties as well as allegation made in the F.I.R. and material and evidence collected in course of investigation, it appears that general and omnibus allegation has been made against above named petitioner no. 1 and so far as above named petitioner no.3 is concerned, he reside in another village, which is far away from the place of occurrence. The petitioners have clean antecedents.

Considering the facts and circumstances of the case, let the above named petitioner no. 1 and 3, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 15th-cum-Sub Judge, Muzaffarpur in connection with Gaighat P.S. Case No. 143 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Subject to further condition that the above named petitioner no. 1 will appear before the local Police Station every



15 days at 10:00 A.M. and the concerned S.H.O. will submit
monthly report of the attendance of above named petitioner no.
1 to the Superintendent of Police, Muzaffarpur.

(Purnendu Singh, J)

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