

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59106 of 2022

Arising Out of PS. Case No.-44 Year-2022 Thana- KOTWALI District- Munger

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Bittu Sharma @ Bittu Kumar, S/O- Bhola Sharma R/O- Raisar, P.S- Kotwali
(Basudevpur O.P), Distt- Munger, at present R/O- Chaksarka, Hajipur, P.S-
Hajipur Sadar, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr.Sanjeev Kumar Singh, Advocate Mrs. Neha Rani, Advocate
For the State	:	Mr.Harendra Prasad, APP

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

ORAL ORDER

3 06-02-2023 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.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Section 302 read

with Section 34 of the Indian Penal Code and Section 3/4 of

the Dowry Act.

As per the prosecution case, the sister of the

informant was married to the co-accused Kailash Sharma.

After the marriage, the co-accused Kailash Sharma started



demanding money from the informant. It is further alleged that the co-accused Kailash Sharma has illicit relationship with his sister-in-law(bhabhi). On being objected by the sister of the informant, the petitioner and the co-accused persons killed her by throttling.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is no allegation against the petitioner of demanding dowry and torturing the sister of the informant after the marriage. He has further submitted that the petitioner is the nephew of the co-accused Kailash Sharma and there is no specific allegation to kill the sister of the informant rather it is general and omnibus allegation against the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, 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/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Kotwali P.S. Case No. 44 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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