

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5518 of 2024

Arising Out of PS. Case No.-422 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Amit Kumar S/o- Late Baban Prasad Singh Village- Jaitpur, P.S. Barhiya,
District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate

For the Opposite Party : Mr. Md. Aslam Ansari, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 306/34 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

3. Prosecution case in short is that the deceased was married with the petitioner on 29.4.2021. After sometime, petitioner and his family members started subjecting her to cruelty and harassment for non-fulfilment of dowry demand and finally they ousted her from the matrimonial house. On 7.7.2022 she consumed acid in her maikie and died during treatment.

4. It is submitted by learned counsel for the petitioner that as a matter of fact deceased was in illegal affair with someone which was objected by her parents as a result of which she became infuriated and consumed acid at her parents' house and died in the hospital. Police after investigation submitted



final form against the petitioner and other accused persons but the Court below differing with the same took cognizance of the offence. F.I.R. has been lodged after delay of seven days without any explanation which renders the entire prosecution case doubtful.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Town Police Station Case No. 422 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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