

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7234 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- CHANPATIA District- West Champaran

Om Prakash Sah S/o Raghunath Sah RESIDENT OF VILLAGE DIULIYA,
P.S. SIKARPUR, DISTRICT WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 304B, 201
and 34 of the Indian Penal Code.

3. The Learned counsel for the petitioner submits that
petitioner, being brother-in-law of the husband of the deceased,
has been falsely implicated in the present case by the informant.
It is next submitted that the daughter of the informant was
married to Pradeep Kumar in the year 2017 and was tortured for
non-fulfillment of dowry demand. It is further alleged that the
son-in-law of the informant informed him that his daughter is
missing, but later it transpired that the daughter was killed and
her body was recovered.



4. The learned counsel for the petitioner submits that no doubt the body of the daughter of the informant, who was married to Pradeep, was recovered, but then the allegation against this petitioner is general and omnibus in nature and petitioner, being brother-in-law of Pradeep, came to be implicated. It is next submitted that whenever any such occurrence takes place, the entire family members, including relatives, are implicated in a mechanical manner. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chanpatia P.S. Case No. 350 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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