

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9299 of 2024

Arising Out of PS. Case No.-770 Year-2022 Thana- MASAUDHI District- Patna

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Anoop Kumar, S/o Late Vishnu Lal, R/o Vill - Sikathia, Taranpur, P.S.
Mughalsarai, Distt. - Chandauli, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar, Advocate
For the State	:	Mrs. Pushpa Sinha.1, APP
For the Informant	:	Mrs. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this case, the petitioner is apprehending his arrest in connection with Masaurhi P.S. Case No. 770 of 2022, registered on 16.11.2022 for the offences under Section 306 of the Indian Penal Code.

3. As per prosecution case, wife of the petitioner committed suicide in her parental home due to mental torture and demand of dowry by the petitioner and other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The daughter of the informant committed suicide and at



that time she was in the house of the informant and perhaps she might have committed suicide due to depression. There has been no abetment on part of the petitioner. Petitioner is the husband of the deceased and was having cordial relationship with her. It is apparent from the FIR that the deceased stayed at her in-laws house only for two months and after coming back to her maternal house, she committed suicide. WhatsApp chat between the petitioner and the deceased does not show any dowry demand or cruelty or torture or any abatement on part of the petitioner. The occurrence took place on 10.09.2022 whereas the FIR has been registered on 16.11.2022 after lapse of more than two months and there is no satisfactory explanation for this delay. The allegation of demand of dowry is false and concocted and the petitioner has been made scapegoat by the informant and her family members. Petitioner is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that there is allegation of demand of dowry and torture related to the said demand. Learned counsel further submits that WhatsApp chat and video of suicide have been submitted to the police during investigation but she concedes the same does not



corroborate the mental cruelty or torture related to dowry demand.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Masaurhi/court concerned in connection with Masaurhi P.S. Case No. 770 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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