

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18107 of 2024

Arising Out of PS. Case No.-462 Year-2023 Thana- PARBATTa District- Khagaria

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BIRENDRA GOSHWAI @ VIRENDRA KUMAR SON OF JICHCHU
GOSVAMI RESIDENT OF VILLAGE - BITHALA, P.S. - PARBATTa
(MARAIYA), DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 31-07-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Parbatta (Maraiya) Police Station Case No. 462 of
2023, disclosing offences under Sections 304B, 34 of the Indian
Penal Code.

3. As per the First Information Report lodged on
07.10.2023, the father of the deceased alleged that son of the
petitioner solemnized marriage with the informant's daughter
after taking her away with him forcibly. On 29.09.2023, the
officer incharge of the Maraiya police station informed to the
informant that his daughter has died and after coming from
Bangalore, the present FIR has been lodged. The informant has



alleged that his daughter has been killed by the petitioner and others due to non-fulfillment of the demand of dowry.

4. Learned Counsel for the petitioner submits that the petitioner is the father-in-law of the deceased and has falsely been implicated in this case as an afterthought. He next submits that petitioner is living separately from his son and the son of the petitioner had performed marriage with the informant's daughter without consent of the family members. The allegation against the petitioner is general and omnibus in nature and at the time of occurrence the petitioner was not residing at the place of occurrence and was away at Delhi for earning his livelihood.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the allegation made in the FIR which is general and omnibus in nature and the petitioner is father-in-law of the deceased, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,



Khagaria, in connection with Parbatta (Maraiya) Police Station
Case No. 462 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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