

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17791 of 2024**

Arising Out of PS. Case No.-469 Year-2023 Thana- PALIGANJ District- Patna

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Gautam Kumar S/O Late Premchand Singh R/O Village- Khapura, P.S-  
Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      18-03-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Paliganj P.S. Case No. 469 of 2023 dated 01.09.2023, instituted  
for the offence punishable under Sections 498(A) and 304(B)/34  
of the Indian Penal Code and Section 4 of DP Act.

3. The prosecution case, in short, is that the informant  
got her daughter married with Niraj Kumar as per Hindu rites  
and customs in the year 2021. But after 6 months of marriage,  
her in-laws started harassing her and demanding one lakh cash,  
one motorcycle and a gold chain. The accused persons are  
alleged to have killed informant's daughter along with her small  
child and disappeared them due to non-fulfillment of demand of  
dowry. On getting secret information on 31.08.2023, the



informant went to her daughter's matrimonial home but the house was locked.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner is the elder brother of the husband of the deceased. It is submitted that petitioner was married in the year 2011 and petitioner has got two sons aged about 10 years and 6 years respectively and both are studying in Lucent Boarding Public School at Raghopur, Bihta. It is submitted that there has been partition amongst the two brothers and mother on 13.04.2023 in which the house of the village Khapura was allotted in the share of Niraj Kumar and in lieu thereof two decimals of land was given to the petitioner and other lands were also partitioned and mother was also given the share for which a family partition was prepared on which apart from the *panches* the petitioner, his younger brother Niraj Kumar and mother have put their signatures. Learned counsel for the petitioner further submits that petitioner is residing separately at Bihta. It is also submitted that husband of the deceased, namely, Neeraj Kumar has already surrendered in court on 26.09.2023 and he is in judicial custody. Lastly, it has been submitted that he has no criminal antecedent.



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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Paliganj P.S. Case No. 469 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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