

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28258 of 2024

Arising Out of PS. Case No.-354 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Sahil Kumar @ Shail Kumar, Son of Late Lalbabu Sahani, Resident of Village/Mohalla- Kolahua Paigamber Pur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ahiyapur P.S. Case No. 354 of 2022, instituted for offences under Sections 304(B), 406, 201, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, daughter of the informant has been killed by her in-laws including the petitioner due to non-fulfillment of demand of car and cash of Rs. 7 lacs.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Petitioner is younger brother of the husband of deceased



and living separately. He has no concern with the family affairs of the victim and her husband. He further submits that complaint was filed after delay of one month twenty days of the alleged date of occurrence without giving any reason. The allegation against the petitioner is general and omnibus in nature. He further submits that the deceased died due to lungs disease. Petitioner has no criminal antecedent. Other similarly situated co-accused persons, namely, Rani Devi @ Reena Devi and Aasha Devi have already been granted anticipatory bail by this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 34124 of 2023. Petitioner undertakes to co-operate in the investigation.

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

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Ahiyapur P.S. Case No. 354 of 2022, subject to the conditions



laid down in Section 438 (2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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