

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41371 of 2024

Arising Out of PS. Case No.-650 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

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AMARJEET KUMAR S/O DINANATH SINGH R/O VILLAGE-
PIPARIYA, P.S- MOHANIA, DISTT.- KAIMUR AT BHABUA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan, APP
For the Informant	:	Mr. Pawan Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-08-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Mohania P.S. Case no.650 of 2023 registered for the offence punishable under sections 302, 498A and 34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the daughter of the informant was married to Anand Kumar in the year 2016. It is stated that soon after the marriage, the accused persons started making demand of Rs.3 lacs in cash and a motorcycle by way of dowry for which she was tortured. The informant received information about his daughter having died on a telephone call made by this petitioner.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the devar of the deceased. The petitioner had no concern with the family affairs of the deceased or her husband. He is a student who is involved in preparation of competitive examinations. He has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner, who happens to be the devar of the deceased, is named in the FIR but there is direct allegation against all the accused persons including him. It is this petitioner who called and gave information about the death of the daughter of the informant. It is not being a case for grant of anticipatory bail, the application be rejected.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner who happens to be the devar of the deceased, the material that has transpired in course of investigation together with the husband of the deceased being in custody and this petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or



surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mohania P.S. Case no.650 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Mohania, Kaimur at Bhabua, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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