

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44039 of 2024

Arising Out of PS. Case No.-690 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

PRADEEP KUMAR GUPTA @ PRADEEP KUMAR SON OF RAM
LAKHAN SAH VILLAGE- DURGAPUR, P.S.- KARBANDIYA, P.S.-
SASARAM MUFFASIL, DISTT.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Rajdeep, Adv.
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP
		Mr.Arun Kumar Mandal, Adv.
For the UOI	:	Ms.Punam Kumari Singh, CGC

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-11-2024 Heard learned counsel for the petitioner, learned counsel
for the UOI and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 304(B)/34 of the IPC.

3. As per the prosecution case, it is alleged that on the
instruction of the petitioner, daughter of the informant was
killed by the other F.I.R. named accused persons, due to non
fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
being the husband has been falsely implicated in this case. No
such occurrence, in the manner as alleged, has ever taken place.



It is submitted that the postmortem report of the deceased shows the cause of death as asphyxia due to strangulation. It is submitted that the date of occurrence is 29.12.2023 and the petitioner is posted with the Assam Rifles and on the alleged date of occurrence, he was on duty and the same has been certified by the office of the Commandant 13 Assam Rifles dated 04.01.2024, which is evident from Annexure-2 of the bail petition. In this regard, a co-ordinate Bench of this Court has granted time to verify the certificate enclosed at Annexure-2 by way of filing a counter-affidavit. In compliance thereof, a counter-affidavit has been filed on behalf of the O.P. No.2 and it is stated at para-9 that in compliance of the order of the court, the matter was verified by the Office and the certificate in question has been issued by the office of the Commandant 13 Assam Rifles and the contents of the certificate has been checked and verified as correct. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the statement made in para-9 of the counter-affidavit, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court



below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sasaram (Muffasil) P.S. Case No.690 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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