

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48080 of 2024

Arising Out of PS. Case No.-430 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Mohit Sharma, son of Nandlal Sharma Village- Bansal , PS-Sasaram M , Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 304(B) of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant being
husband of the deceased. It is further submitted that from
perusal of the post mortem report of the deceased, it would
manifest that the victim died on account of receiving electric
current. It is thus submitted that had the petitioner been involved
in the occurrence, then endeavours would have been made for
disposing of the dead body with a view to conceal the evidence
and the police would not have been in a position to take the



dead body to the hospital for post mortem.

4. It is further submitted that the informant alleges in the FIR that his daughter was married to the petitioner about two months prior to the occurrence and after marriage, the accused persons including the petitioner were torturing her for dowry, but then, submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant does not allege that as to what was being demanded by the accused persons including the petitioner by way of dowry, which amply demonstrates that the victim was never tortured for dowry or else the informant would have disclosed, what was being demanded by way of dowry. It is also submitted that no doubt, the victim died within two months of the marriage, but then, all deaths are not dowry death. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P. S. Case No.430 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall come to an end.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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