

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51082 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- NAANPUR District- Sitamarhi

Sushil Kumar @ Sushil Rai Son of Raj Kishor Rai, R/o Vill.- Jhitki, P.S.-
Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate.
	:	Mr. Sanjay Kumar, Advocate.
For the Opposite Party/s	:	Mr. Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nanpur P.S. Case No.25 of 2024 instituted under Sections
304(B) of the Indian Penal Code.

3. As per the prosecution case, the marriage of
daughter of the informant was solemnized with the petitioner in
the year 2022 and the informant came to know that her daughter
had committed suicide and the petitioner who is husband of the
deceased was working in Punjab on the date of occurrence,
accordingly, the informant may be permitted to perform funeral
of the deceased.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He further submits that from the F.I.R. itself it appears that there is no allegation of any torture to the deceased or any demand of dowry from her. Learned counsel submits that at the time of occurrence, the petitioner was in Punjab and the informant has filed the application only as an information and permission to perform funeral but the concerned S.H.O. has lodged the F.I.R. It is further stated that the informant has also filed an affidavit before the concerned Court stating that no any dowry was demanded from her daughter by the in-laws and the deceased who was ill, herself ate pesticide kept in the house and died. Learned counsel submits that no case is made out under Section 304(B) of I.P.C. against the petitioner. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions 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/- (Rupees Ten Thousand) with two



sureties of the like amount to each to the satisfaction of the learned S.D.J.M. Pupri at Sitamarhi in connection with Nanpur P.S. Case No.25 of 2024, 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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