

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56442 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- KISHANPUR District- Supaul

Abhishek Kumar @ Santi Son Of Amrendra Yadav Resident Of Village -
Barhatha, Ward No. 17, P.S. - Kishanpur, District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 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
Sections 304B, 201 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his daughter was married to Abhimanyu
on 07.07.2021, after marriage, the accused persons including the
petitioner were pressurising his daughter to get additional dowry
of Rs. 5 lacs, further on account of non-fulfilment of the
demand, the accused persons used to confine her in a room and
even assaulted and tortured her, further on 15.12.2023, the
accused persons assaulted her and forcefully administered



poison and locked her in a room, the informant came to know about the occurrence on 16.12.2023, accordingly, he reached the place of occurrence, where he was informed that his daughter has been taken to a doctor for treatment, but the name of the doctor was not disclosed, further on 17.12.2023, he along with other reached Mahila Hospital, Supaul where his daughter was found dead and her in laws fled and the hospital informed that her in laws had brought her to the hospital on 16.12.2023 and they fled on pretext of getting money.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant being brother-in-law of the deceased. It is next submitted that even the allegation allege that the petitioner is general and omnibus in nature and the informant is not an eye-witness to the occurrence. It is next submitted that during the course of investigation, it transpired that her husband used to talk to some other girl on account of which, his daughter consumed poison. It is next submitted that in the post-mortem report also, no external injury was found but then viscera has been sent to FSL, as has been recorded in the order impugned. It is next submitted that whenever any occurrence of the nature as allege takes place, the entire family members are implicated in a



mechanical manner with general omnibus and ornamental allegations.

5. It is next submitted that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. The learned APP for the State opposes the anticipatory bail application.

7. 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 in connection with Kishanpur P.S. Case No. 269 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect.



9. The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

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