

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70695 of 2024**

Arising Out of PS. Case No.-41 Year-2023 Thana- SIMRA District- Aurangabad

Goverdhan Mehta Son of Late Lal Bihari Mehta R/o- Anjaniya, P.O.- Khadiha  
Anjaniya, P.S.- Simra, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Singh

For the Opposite Party/s : Ms.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      05-10-2024                      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 304B and 120B of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is father in-law of the deceased and the informant alleges that his cousin sister Sobha was married with Gautam Kumar on 15.05.23 and after marriage his sister was harassed and subjected to cruelty at the hands of her husband and his family members for not fulfilling the demand of dowry and the motorcycle. Further, on account of non-fulfilment of



dowry demand, the deceased was strangled to death by accused persons on 28.11.2023.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that no doubt, the death of the cousin sister of the informant took place soon after marriage with Gautam, but then, from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand and torture against the petitioner is general and omnibus in nature. It is next submitted that whenever any dispute arises in between the husband and the wife an occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation. It is further submitted that husband of the deceased is in custody since 20.07.2024. It is also submitted that the yardstick for considering the bail application of the husband is different from the yardstick adopted for considering the bail of the family members. It is also submitted that



petitioner will not abscond rather will cooperate in the investigation to prove his innocence that being father in-law he has been implicated.

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, Aurangabad in connection with Simra P. S. Case No.41 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. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

ikash/-

(Satyavrat Verma, J)

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

