

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81845 of 2024

Arising Out of PS. Case No.-1020 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Shivesh Kumar, S/O Upendra Singh, Resident of Village- Repura, P.S- Hisua,
Distt.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Singh, S/O Sri Ram Bhajju Singh, R/O Village- Kulna, P.S-
Akbarpur, Distt.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 11-12-2024 Heard learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Nawada Complaint Case No. 1020 (C) of 2023
registered for the offence punishable under Section 304B of the
Indian Penal Code.

3. Allegedly the marriage of the daughter of the
complainant was solemnized with the petitioner on 18.04.2012.
The couple also blessed with two children. However, despite the
aforesaid fact, the victim was subjected to demand of dowry. It
is further alleged that on 28.07.2023, all the accused persons,
including the petitioner, have committed the murder of his



daughter by strangulating her.

4. Learned Advocate for the petitioner drawing the attention of this Court to Annexure- 2 to the bail application has submitted that in fact the deceased was residing with the petitioner at Panjabi Mohalla, Samalkha, Panipat, Haryana. On account of torture and threatening meted to the deceased (wife of the petitioner) by one Angad Rajpoot, she committed suicide and thereafter an F.I.R. has been instituted against the said person on 29.07.2023 with Samalkha police station, bearing Case No. 0698 of 2023. After institution of the F.I.R., when the petitioner informed this fact to the family members of the deceased, they suspected the hands of the petitioner in causing the death of the victim, has instituted the present complaint case. It is further contended that even in the solemn affirmation this fact has taken note of that one Angad Rajpoot has made viral some indecent photographs of the victim.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is specific allegation against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that even if the allegation is taken to be true, no case, much less, under Section



304B of the Indian Penal code is made out, as the marriage of the deceased was solemnized in the year 2012, coupled with the fact that prior to the institution of the present complaint, the petitioner had lodged an F.I.R. against one Angad Rajpoot, who has made some indecent photographs of the deceased viral, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Complaint Case No. 1020 (C) of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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