

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4762 of 2024

Arising Out of PS. Case No.-215 Year-2017 Thana- SALAKHUA District- Saharsa

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BOBBY KUMAR SON OF DHARMENDRA MAHTO RESIDENT OF
VILLAGE - KABIRA, P.S. - SALKHUA, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Salkhua (Chiraiya OP) P.S. Case No. 215/2017 registered
for the offence punishable under Sections 304-B, 302, 201 and
34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant F.I.R. It is
next submitted that petitioner is neither related to the deceased
nor is related to the husband of the deceased rather is a co-
villager of the husband of the deceased and the instant F.I.R. has
been instituted by the father of the deceased against his son-in-
law and his family members alleging that for non-fulfillment of
the demand of dowry his daughter was killed. It is next



submitted that petitioner is also not named in the F.I.R but during the course of investigation, it came that the motorcycle of the petitioner was used for disposing of the body of the deceased. It is next submitted that petitioner was completely unaware that his motorcycle would be used by the accused persons for disposing of the dead body of the daughter of the informant. It is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV at Saharsa in connection with Salkhua (Chiraiya OP) P.S. Case No.215/2017, subject to the conditions as laid down under Section 438 (2) of



the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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