

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37874 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- Kavaiya District- Lakhisarai

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Gautam Kumar S/o Shankar Laheri R/o Village- Barahiya Tola-Ind Ward No. 07, P.S.- Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj

For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126, 115, 351(2), 80 and 3/5 of the B.N.S.S.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter was married to one Gautam Kumar, further after marriage she was subjected to cruelty on account of non-fulfillment of dowry demand, next alleges that two months ago, father of the victim (deceased) has brought her back to her parental house where petitioner, Rubi, Teni and Laxman came and assaulted the informant and his daughter, thereafter the daughter of the informant went inside her room and committed



suicide.

4. Learned counsel submits that petitioner being husband has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant himself alleges that on account of dispute which had arisen after marriage, the informant has brought the victim (deceased) back to her parental house where the occurrence is alleged to have taken place on the ground that petitioner and his family members came and assaulted the informant and the victim. The learned counsel for the petitioner submits that petitioner never went to the house of the informant after his wife came back to her parental home. It is next submitted that since his wife committed suicide at her parental home as such he came to be implicated. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner may not be present at the place of occurrence when the occurrence is alleged to have taken place but then it is submitted that petitioner being husband created condition conducive for



the victim to take extreme step of ending her life as such the petitioner cannot be absolved of the occurrence at the present for the purposes of anticipatory bail.

6. At this stage, the learned counsel for the petitioner submits that police after investigation has not found the case true against Teni Kumar, Rubi Devi, Laxman Kumar and Rekha Devi.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kavaia P.S. Case No.124/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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 its 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 bonds of the petitioner.

(Satyavrat Verma, J)

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