

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42634 of 2025**

Arising Out of PS. Case No.-47 Year-2025 Thana- TEKARI District- Gaya

Shrikant Kumar Son of Late Birju Singh Resident of Village- Dhoraut, P.S.-  
Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mallika Mazumdar

Mr. Rajnish Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

4      04-11-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tikari P.S. Case No. 47/2025 dated 27.01.2025 registered for the offences punishable under Sections 127(1), 127(2), 115(2), 85, 87, 61, 80 and 238 of the B.N.S. and Sections 3 & 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically and killed her due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The



petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused persons, Shiv Kumar Singh and Satyendra Prasad. There is general and omnibus allegation against the petitioner who is the relative of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. The petitioner has relied upon the judgment of this Court in the case of **"Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182."** Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. As per the post-mortem report, the cause of death is asphyxia and shock due to manual strangulation.

6. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Tikari P.S. Case No. 47/2025 subject to conditions as laid down under section 482(2) of the B.N.S.S, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

**8. The application stands allowed.**

**(Chandra Prakash Singh, J)**

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