

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77732 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- GURUA District- Gaya

Prem Kumar Son of Ram Briksh Prasad Village - Sesari, Ps- Gurua, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-04-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Gurua P.S. Case no.168 of 2024 registered under Sections 304B, 201 and 34 of the Indian Penal Code and Sections 3 and 4 of the D.P.Act.

3. As per the prosecution case, the informant states that his grandson has informed him that his daughter, whose marriage was solemnized with the petitioner 10 years ago, has been killed by her in-laws due to non-fulfillment of demand of dowry of Rs. 2 lakhs, and her dead body was also cremated by them.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R. The petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. He further submits that from bare perusal of the F.I.R it would be apparent that the marriage had taken place 10 years back and there is no earlier complaint of demand and torture made against the accused persons as such no case under Section 304B of the Indian Penal Code is made out. He further submits that after investigation charge-sheet was submitted against accused persons along with the petitioner under Sections 302, 201 and 34 of the Indian Penal Code. He further submits that the petitioner on the relevant time was at Delhi and this fact has been substantiated by filing of a receipt of Civil Hospital, Gurugram, a copy of the same has been annexed as Annexure-2 to the application, which would go to show that he was getting his treatment at Delhi. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submits that after causing the death of the deceased, her dead boy had been cremated by the accused persons and therefore, Section 201 of the Indian Penal Code was



also imputed.

6. Considering the entire facts and circumstances of the case, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gurua P.S. Case no.168 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati at Gaya, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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