

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83912 of 2025

Arising Out of PS. Case No.-39 Year-2008 Thana- JAMHOR District- Aurangabad

Arjun Pathak Son of Late Chandra Shekhar Pathak Resident of Village-
Mainpura, P.S.- Kaler, District- Arwal, At Present Resident of Village- Parsa,
P.S.- Parsabazar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Devendra Mishra Son of Late Ramapati Mishra Resident of Dhanari, P.S.-
Aurangabad Muffasil, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jamhor P.S. Case no. 39 of 2008 instituted for the offence under Sections 304 (B) and 498 (A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The case of the prosecution based on complaint petition is that daughter of the informant, Nitu Kumari was married to one Lalit Ranjan Mishra and it is alleged that she was subjected to cruelty on account of non-fulfillment of demand of dowry and ultimately, she was killed.



4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that as would transpire from the order of the learned co-ordinate Bench, the deceased died due to electrocution at Sonipat in Haryana whereas the complaint case has been lodged here. It is further submitted that after investigation, the police has submitted final form but on the basis of protest petition, the learned trial Court has taken cognizance. It is further submitted that the petitioner is maternal uncle of the husband and the husband of the victim has already been granted bail by a co-ordinate Bench of this Court vide order dated 11.12.2012 passed in Cr. Misc. No. 41982 of 2012.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jamhor P.S. Case no. 39 of 2008, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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