

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23170 of 2017

Arising Out of PS.Case No. -589 Year- 2016 Thana -MANER District- PATNA

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1. Santosh Kumar Rai, son of Sri Rajeshwar Rai, resident of Village-
Jirakhan Tola, Police Station- Maner, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 304B and 201/34 of the Indian Penal Code.

Sister of the informant Baby Devi died along with her three daughters in her matrimonial house by sustaining burn injury. Allegation is that she was burnt to death by her in-laws including the petitioner, who is elder brother of the husband.

Submission of the learned counsel for the petitioner is that the occurrence took place after seven years of marriage, hence, presumption of dowry death is not there and there is no eye-witness of the occurrence, hence, prosecution allegation is not acceptable.



Since death was caused inside the house in abnormal circumstances, eye-witnesses may not be available and the inmates are accused in this case.

Hence, considering the seriousness of the allegation, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Maner Police Station Case No. 589 of 2016 pending in the court of learned Judicial Magistrate, 1st Class, Danapur, Patna/successor court.

Hence, prayer for bail is refused.

(Birendra Kumar, J)

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