

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33222 of 2017

Arising Out of PS.Case No. -289 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Brajesh Sah @ Brijesh Shah S/o Bigu Sah, R/o Vill Ojha Mathiya, P.S.
Majhauiliya, Dist.-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-07-2017 Heard Sri Ajay Kumar Sharma, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The petitioner, husband of the deceased, has prayed
for grant of anticipatory bail in Majhauiliya P.S. Case No. 289 of
2016 registered for offence under Sections 341, 307, 34, 304(B) of
the Indian Penal Code and Sections 3 & 4 of the Dowry
Prohibition Act, 1961.

It was submitted by learned counsel for the petitioner
that ofcourse, in the F.I.R., it was alleged that after the occurrence,
all the in-laws member, including the petitioner (husband), fled
away, but fact remains that petitioner and his family members
were present and in his presence, the victim was carried to a
hospital for treatment. According to learned counsel for the



petitioner, it is completely a case of false implication, whereas, on perusal of the F.I.R., it is evident that there is direct accusation and it is the fact that marriage of the deceased was solemnized in the year 2014 and she was done to death on 16-10-2016 and as per F.I.R., it is evident that by pouring kerosene oil, she was set on fire.

Considering the nature of accusation, there is no reason for extending the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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