

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5734 of 2019

Arising Out of PS. Case No.-270 Year-2018 Thana- SHEKHPURA District- Sheikhpura *

Dharmvir Kumar Rajak Son of Satyanarayan Rajak Resident of Village- Kare,

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Sheikhpura P.S.Case No. 270 of 2018, registered for offences punishable under Sections 302, 201, 364/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Allegation as per F.I.R. against the petitioner is of causing death of his wife.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and the statement of independent witnesses in paragraphs -17, 18, 19, 20 and 21 clearly shows that deceased herself consumed the poison and the present case has lodged only to harass the petitioner and the petitioner has no criminal antecedent.

Heard learned A.P.P., who opposes the prayer for bail



stating that the informant came to the house but they did not find any person to be present in the house of in-laws and several witnesses have supported the above facts.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, the case of the petitioner is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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