

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58427 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- AMAUR District- Purnia

-
1. Sokhin Rai @ Sokhi Lal Raye, Son of Late Tiklal Resident of Village-Surjapur, P.S.- Amour, District- Purnea.
 2. Arvind Rai, Son of Sokhin Rai @ Sokhi Lal Raye Resident of Village-Surjapur, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-11-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Amour P.S. Case No.67 of 2019 for the offence punishable
under Sections 316, 304(B),/34 of the Indian Penal Code.

The allegation against the petitioners as per the First
Information Report is that the petitioner along with other
accused person used to assault the deceased and on the date of
occurrence, i.e., 25.05.2019, the petitioners along with other
accused persons assaulted the deceased due to non-fulfillment of
demand of dowry by the deceased and her family members,
leading to her death.



Mr. Ram Pravesh Kumar, learned counsel appearing for the petitioner submits that petitioners have falsely been implicated in this case merely on the basis of the fact that the petitioner No.1 is father-in-law of the deceased and petitioner No.2 is step brother-in-law (Dewar) of the deceased. Learned counsel further submits that witnesses have stated that the deceased was assaulted by the husband, namely Phul Kumar Rai, and due to which she has died. Learned counsel further submits that co-accused, Phul Kumar Rai, i.e, husband of the deceased, is in custody.

On the other hand, learned counsel appearing for the State vehemently opposes the prayer for anticipatory bail and submits that the petitioners are named in the First Information Report and there is specific allegation of assault and demand of dowry on the person and the deceased has died within seven years of her marriage, Accordingly, the petitioners do not deserve the privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the fact that petitioners are named in the First Information Report, there is specific allegation against the petitioners that the petitioners used to demand dowry and due to non-fulfillment of demand of dowry, they used to torture



the deceased and on the date of occurrence, the petitioner allegedly assaulted the deceased, accordingly, I am not inclined to grant anticipatory bail to the petitioners and the same is hereby rejected.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

