

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11112 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- RAMNAGAR District- West Champaran

VISHAL RANJAN S/o Anup Kumar Resident of Village- Bairiya Kolhuwa,
Prem Kumar Aawas-Gandhi Nagar Saketpuri, Near Vivah Bhawan, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan, Advocate
For the Opposite Party/s	:	Mr. Iftekhar Mahmood, APP
For the Informant	:	Mr. Rakesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-08-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State as well as learned Counsel for the informant.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Ramnagar PS Case No. 120 of 2020 registered under Sections 498A/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

FIR is lodged by the wife suffering with terminal blood cancer alleging that the petitioner being the husband has not paid any heed to her treatment and that he has been torturing her and making demand from her parents in the process of treatment. She has subsequently died as a result of the disease.

It is submitted by learned Counsel for the petitioner that



in fact the petitioner is the victim. He has taken all due care, made all expenses towards treatment of his wife and has falsely been implicated in this case. Brother of the informant has in fact encashed the victim's illness and has solicited donation even after her death. The petitioner is stated to be in custody since 14.10.2020.

Learned APP as well as learned Counsel for the informant have opposed the prayer for bail. It is submitted that the victim herself has made allegations in the FIR while she was undergoing treatment for the terminal disease. She has specifically alleged the fact that she has been tortured during treatment and that even funds have been solicited from her parents, which has been misappropriated by the petitioner, being husband of the victim.

Having regard to the nature of allegation constituting gravity of the offence this Court for the present is not inclined to allow the prayer.

The prayer for bail is rejected.

(Madhuresh Prasad, J)

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