

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12384 of 2021

Arising Out of PS. Case No.-452 Year-2019 Thana- DHANARUA District- Patna

1. VIKASH CHOUDHRAY Son of Arjun Choudhary Resident of Village - Atarpura, P.s.- Dhanarua, Distt.- Patna.
2. Arjun Choudhary Son of Late Sukhlu Chudhary Resident of Village - Atarpura, P.s.- Dhanarua, Distt.- Patna.
3. Sunita Devi W/o Arjun Choudhary Resident of Village - Atarpura, P.s.- Dhanarua, Distt.- Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 07-02-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

The petitioners apprehend their arrest in connection with Dhanaura P.S. Case No. 452 of 2019, registered for the offences punishable under Sections 304 (B)/34 of the Indian Penal Code.

Deceased, Rina Kumari, aged about 21 years (at the time of her death) was the daughter of the informant, Raj Ishwar Chaudhary. Her marriage was solemnized with co-accused



Akash Kumar. The petitioners and other co-accused persons allegedly committed torture on her due to non-fulfillment of Rs. 2,00000/- cash and one motorcycle. On 01.11.2019 the native inmates received the information that Rina Kumari has strangled herself to death. The informant along with his family members rushed to the matrimonial house of the deceased where they came to know that all the accused persons killed her for non-fulfillment of the dowry demand. He has also mentioned in the FIR that the accused persons used to threaten the deceased to kill in case their demand remains unfulfilled.

Learned counsel for the petitioners has submitted that the petitioners are in-laws of the deceased and they are residing separately. He has also filed a certificate of Sarpanch to show that the partition between husband of the deceased and his brothers has been taken place. He has also submitted that the *nanad* and *nandosi* of the deceased have been granted anticipatory bail by the coordinate Bench of this Court.

There is specific allegation in the FIR supported by the witnesses in Paragraph Nos. 7, 8 and 9 of the case diary that the deceased was subjected to atrocities by the hands of the present petitioners and co-accused, husband of the deceased.

In my view, it is not a fit case for anticipatory bail.



Accordingly, the prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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