

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5258 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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ABHISHEK KUMAR VARMA S/O BIRENDRA PRASAD VERMA
Resident of Naya Tola Dhaka, Near Dhaka Block, P.S.- Dhaka, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Mohan Verma S/o Late Chaturbhuj Prasad Verma Resident of
Aamgola, Muzaffarpur, P.S.- Kazi Mohammadpur, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Singh
For the Opposite Party/s :	Mr.Bhanu Pratap Singh
	Mr.Arjun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 304B/34 of the Indian Penal Code.

It is a case of ‘Dowry Death’. Petitioner and his family members are alleged to have committed murder of daughter of the complainant, due to non-fulfillment of demand of dowry. Petitioner happens to be husband of the deceased.

It is submitted on behalf of petitioner that initially, the complainant had lodged Dhaka P.S. Case No. 211 of 2021 against petitioner and others, in which, after investigation, the police submitted final form showing paucity of the evidence,



because the daughter of complainant died due to illness (heart-attack) and thereafter, case proceeded on the protest-cum-complaint petition and witnesses were also examined during course of inquiry and as such, no case under Section 304(B) of the I.P.C. is made out against this petitioner.

However, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioner is husband of deceased and there is specific allegation that this petitioner alongwith his family members committed the murder of daughter of the complainant for dowry. Deceased died in an unnatural circumstances within seven years of marriage at her matrimonial home.

Considering the nature & gravity of offence and the fact that petitioner is husband of the deceased and there is specific allegation of demand dowry, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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