

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6883 of 2022

Arising Out of PS. Case No.-146 Year-2018 Thana- TARABARI District- Araria

NITESH KUMAR JHA S/o Ashok Jha Resident of Village- Sharanpur, P.S.-
Tarabari, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 304(B), 120(B) of the Indian Penal Code.

It is a case of dowry death. The informant, in the F.I.R., has alleged that this petitioner alongwith other co-accused committed murder of his daughter by administering her poison due to non-fulfillment of demand of dowry. Petitioner is husband of the deceased.

It is submitted on behalf of petitioner that actually, the petitioner solemnized love-marriage with the deceased and as such, demand of dowry does not arise. As a matter of fact, daughter of the informant committed suicide by consuming poison.



However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that petitioner is husband of the deceased and there is specific allegation of demand of dowry against him and his family members. The deceased died within seven years of marriage at her matrimonial house in an unnatural circumstances.

Considering the nature and gravity of the offence and the fact that petitioner is husband of the deceased and there is specific allegation of demand of 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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