

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7741 of 2022

Arising Out of PS. Case No.-184 Year-2018 Thana- MANIYARI District- Muzaffarpur

RAJENDRA RAM @ RAJENDRA KUMAR RAM Son of Late Ram
Chandra Ram Resident of Village- Kishanpur Chhith, P.S.- Maniyari, District-
Muzaffarpur, Bihar. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2022 Heard Sr. learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with Maniyari
P.S. Case no. 184 of 2018 instituted for the offence punishable under
Sections 304(B) and 34 of the Indian Penal Code.

It is a case of commission of murder to the petitioner's
wife within seven years of marriage due to non-fulfillment of dowry
demand of Rs. One lac.

Learned counsel appearing on behalf of the petitioner has
submitted that petitioner is innocent and has committed no offence.
The entire allegation against the petitioner is false and fabricated.
There is no any sign of injury was present on the body of the
deceased either internally or externally. In fact, deceased had herself
consumed poison, which is apparent from the postmortem report.



Learned counsel for the informant and learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner is husband and he is sole responsible to take proper care of his wife. There is direct allegation against him. From perusal of para 5,9, 10 and 11 of the case, it appears that informant and several witnesses have supported the prosecution story. In FSL report, it is mentioned that Almunium phosphide was detected.

Having heard learned counsel for the parties and taking into consideration that petitioner is husband of the deceased and there is direct allegation against him, I am not inclined to grant bail to the petitioner and, as such, his prayer for bail is rejected.

The application stands disposed off.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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