

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19676 of 2021

Arising Out of PS. Case No.-343 Year-2019 Thana- SASARAM NAGAR District- Rohtas

PRAKASH KUMAR SONI SON OF LATE ANIL SETH RESIDENT OF
MOHALLA- WELFARE, AMARA TALAB, P.S.- SASARAM
(MUFFASIL) , DISTRICT- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirbhay Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 04-01-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Sasaram (Muffasil) P.S. Case No. 343 of 2019 registered for the offence under Sections 341, 323, 328, 302, 498A, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Having heard Sri Yogesh Chandra Verma, learned counsel for the petitioner at length, wherein learned counsel has stated that the compromise has arrived at between the father of the deceased girl and the petitioner. He has further submitted that petitioner has taken the lady to the hospital and also informed his in-laws and therefore, his natural behaviour reflects that he cannot be involved in the death of the deceased.



Per contra, learned counsel for the state submits that such offence falls prima facie under Section 304 B and a presumption has to be drawn which is required disprove during trial of cases of such nature.

Taking into consideration of the aforesaid aspects that marriage took place two years back and compromise cannot be admissible in such cases where offence is under Section 302 or 304B of the IPC, I am not inclined to grant benefit of anticipatory bail to the above named petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Sanjeev Prakash Sharma, J)

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