

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13339 of 2022

Arising Out of PS. Case No.-181 Year-2018 Thana- KAUWAKOL District- Nawada

VIKASH RAM@VIKAS KUMAR Son of Kapil Ram Resident of Village -
Mahapur, P.s.- Kawakole, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(b), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that her daughter was married to this petitioner in the year 2012 and from the wedlock had three daughters, it is next alleged that on 20.08.2018, informant got information from the neighbours of the husband of the deceased that the victim had been burnt to death, it is next alleged that a mobile was off and the matrimonial house was locked and the accused persons were not present, it is next alleged that on further questioning it came



to the knowledge of the informant that four named accused persons, including the petitioner, and some unidentified accused had murdered and burnt the deceased on 18.08.2018.

Learned counsel for the petitioner submits that the petitioner, being a husband of the deceased, has been falsely implicated in the present case, it is next submitted that in the case trial with respect to other accused persons is proceeding and nearly 7 prosecution witnesses have been examined and they turned hostile, it is also submitted that a compromise between the informant and the family of the petitioner has been entered into when the informant realized his mistake in instituting the present FIR. It is also submitted that from perusal of the allegation as alleged, it would manifest that no allegation of dowry demand is alleged.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that since the trial commenced and the petitioner despite being husband did not surrender that in itself demonstrates that petitioner is a fence sitter and was trying to take advantage of the trial which is proceeding, it is next submitted that such persons, who tried to take advantage of judicial proceeding should not be dealt leniently.



Considering the submissions made by the learned
APP for the State, the Court is not inclined to extend the
privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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