

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41815 of 2021**

Arising Out of PS. Case No.-288 Year-2020 Thana- NAANPUR District- Sitamarhi

BIRENDRA RAI Son of Late Siyaram Rai R/o Village- Satter, P.S.- Nanpur,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-04-2022 Heard the parties through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Nanpur P.S. Case No.288 of 2020, registered for the offence punishable under Sections 304B, 201/34 IPC.

The allegation against the petitioner is that he along with other accused persons have killed the daughter of the informant and disposed of her dead body. It is alleged that the murder has been committed as the husband of the deceased (petitioner) had an illicit relationship with his sister-in-law and the same was objected by the deceased. .



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no demand of dowry and torture, as such, no offence under the 304B IPC is made out against him. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the petitioner is the husband of the deceased, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of anticipatory bail to the petitioner named above is rejected.

The instant anticipatory bail application is dismissed.

(Anjani Kumar Sharan, J)

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