

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68726 of 2021**

Arising Out of PS. Case No.-372 Year-2019 Thana- KUDHNI District- Muzaffarpur

ARVIND KUMAR THAKUR Son of Gonaur Thakur Resident of Village-
Dubiyahi, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 17-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Kudhani (Turki O.P.) P.S. case No.372/2019 registered
under Sections 304B, 201, 34 of the Indian Penal Code, pending
in the court of A.C.J.M.-1, (West), Muzaffarpur.

Prosecution case, in short, is that the accused persons
including the petitioner caused death of the daughter of the



informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence nor there is any other substantive evidence to suggest the implication of the petitioner in the present.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased. The onus is upon the petitioner to explain the cause of the death of the deceased. The dead body of the deceased was being cremated. Half burnt body was sent for F.S.L.

Considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

Narendra/-

(Sudhir Singh, J)

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