

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17975 of 2023

Arising Out of PS. Case No.-179 Year-2022 Thana- SAKRA District- Muzaffarpur

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Anoj Kumar @ Sanoj Kumar Son Of Pramod Das R/O Village/Mohalla-
Majhauria, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 304B/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the daughter of the informant married with the petitioner according to Hindu rituals. On 20.03.2022 at 9 P.M. four persons tied her and lit fire, due to that she was burnt, his father in law brought her at Mani Hospital at Bhikhanpura but for better treatment she was referred at S.K.M.C.H., Muzaffarpur where she died on 26.03.2022 during treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that petitioner is husband of the deceased. He further submits that as perusal of the F.I.R., it is alleged that the marriage took place about four years ago but no dowry was alleged



to be demanded and no motive to kill her is assigned therein and also the victim never complaint against the petitioner and his family members. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that petitioner is husband of the deceased. Hence, he does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Sakra P.S. Case No. 179/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering this fact that there is no material available in the case diary against the petitioner.

(Anjani Kumar Sharan, J)

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