

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31521 of 2023**

Arising Out of PS. Case No.-239 Year-2022 Thana- BARHIYA District- Lakhisarai

RAUSHAN KUMAR S/O SRI SUNIL SINGH R/O Village- Jaitpur, P.S-
Barahiya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 14-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Barahiya P.S. Case No. 239 of 2022 for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

As per prosecution case, petitioner and others have committed the murder of informant's sister by administering poison for not fulfilling the demand of dowry.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the F.I.R. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is husband of the deceased and he has falsely been implicated in the present case.



He further submits that the deceased was suffering from migrant disease and she used to take one tablet of Flunavizine per day but on the date of occurrence she has consumed excess tablets and its anti-dose medicine was not available and due to overdose of Flunavizine tablet informant's sister died.

Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner. He further submits that the petitioner is the husband of deceased and there is allegation of administering poison. The dead body of the deceased was recovered from Ganga Ghat by the police. In para 7, 8, 9 and 20 of the case diary, the witnesses have supported the prosecution case as mentioned in impugned order.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner, petitioner is the husband of the deceased and materials available on record, I am not inclined to grant anticipatory bail to the present petitioner. Hence, anticipatory bail of the petitioner stands rejected.

(Alok Kumar Pandey, J)

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