

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 34799 of 2023

Arising Out of PS. Case No.-841 Year-2022 Thana- SIKARPUR District- West Champaran

ANAND MISHRA @ ANAND KUMAR MISHRA S/o of Radhey Shyam
Mishra Resident of Village- Rampur, P.S.- Shikarpur, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Sanjeev Kumar, Advocate
For the S t a t e	:	Mr Raj Ballabh Singh, APP
For the I n f o r m a n t	:	M/s A K Shrivastav, Amrit Kirti, Advocates

CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioner, informant
and the learned APP.

2 The petitioner apprehends arrest in Shikarpur PS
Case No 841 of 2022 registered for the offence punishable
under Sections 304B, 201/34 of Indian Penal Code.

3 As per the prosecution case, the daughter of the
informant was married with the petitioner in the year 2021. Due
to non-fulfillment of dowry, she was subjected to cruelty and
harassment and ultimately on 02.08.2022, all the accused
persons assaulted her as a result of which blood started coming
from her private part and during the course of treatment, she
died.

4 Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The informant, his son and other family members took part in the funereal ceremony of the deceased and, as such, it is not correct to say that the informant was not present at the time of occurrence. The deceased died during treatment. In support of the same, the petitioner has annexed certificate of the doctor as Annexures 5 and 6 series.

5 Learned APP and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail. It is submitted on behalf of the informant that there is specific allegation against the petitioner that due to non-fulfillment of demand of dowry, he killed the daughter of the informant.

6 Considering the facts that petitioner is husband of deceased and there is specific allegation that this petitioner demanded dowry, and due to non-fulfillment of dowry, killed the deceased, the deceased died within seven years of marriage in unnatural circumstances in her matrimonial home, I do not find it a fit case for grant of anticipatory bail. The same is rejected.

(Prabhat Kumar Singh, J)

M.E.H./-

U		T	
---	--	---	--

