

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35336 of 2023

Arising Out of PS. Case No.-317 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

SANTOSH YADAV Son of Sitaram Yadav Resident of Village- Shankrpur
Khedupur Ke Tola, Police Station- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Bhagwanpur Hat P.S. Case No.317 of 2020, registered for the offence punishable under Sections 304B and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioner is that he in collusion with his family members killed the daughter of the informant on the pretext of non-fulfillment of demand for dowry.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is the husband of the deceased. He



further submits that the allegation is against the other family members of the petitioner and there is no specific overt act against the petitioner. Petitioner has never demanded any dowry from the informant or her daughter. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering that being the husband of the deceased, the petitioner was bound to ensure the safety and dignity of his wife at her matrimonial house, therefore, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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