

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36426 of 2022

Arising Out of PS. Case No.-305 Year-2021 Thana- BARHARA District- Bhojpur

KISHORI BIND @ KISHORI BIN SON OF SHATROHAN BIN RESIDENT
OF VILLAGE- CHATAR, P.S.- BARHARA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagadeo Choubey, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 09-01-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioner as well as Mr. Shailendra Kumar, the learned APP for the State.

The petitioner apprehends his arrest in connection with Barhara P.S. Case No. 305 of 2021, registered for the offences punishable under Sections 304 (B), 201/34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant was married to the petitioner in 2019. The accused persons subjected his daughter to cruelty for non-fulfilment of demand of a motorcycle. On 21.05.2021, his daughter informed him on



mobile phone that her matrimonial inmates have forcibly administered poisonous substances to her. In the next morning, the informant rushed to the matrimonial house of his daughter. The family members had disappeared. The informant has expressed his firm belief that accused persons, after killing his daughter, disappeared her body.

The learned counsel for the petitioner has submitted that though the petitioner is husband but he has falsely been implicated in this case. When the informant came to know the real fact, he filed a petition mentioning that none had committed dowry death of his daughter, rather it was a natural death. He has also submitted that some accused persons have been granted bail by a co-ordinate Bench of this Court in Cr.Misc. No. 14019 of 2022.

On the other hand, Mr. Shailendra Kumar, the learned APP for the State has opposed the prayer for bail and submitted that other accused persons are facing trial whereas the petitioner, who is husband, remained absconding during the investigation. He has also submitted that the witnesses in paragraph nos. 3 to 5 have supported the occurrence.

In my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.



If the petitioner surrenders before the court below and makes a prayer for regular bail that shall be disposed of expeditiously, without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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