

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49641 of 2023

Arising Out of PS. Case No.-808 Year-2022 Thana- BARH District- Patna

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KRISHNA KUMAR S/O LATE KAMESHWAR PRASAD R/O VILLAGE-
CHAKDIWAN PS. SHEIKHPURA, DIST. SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mayank Raj

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State

2. The petitioner apprehends his arrest in Barh P.S. Case No. 808 of 2022 registered for the offences punishable under Sections 498A and 306/34 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act but later on Section 304B of the Indian Penal Code was added.

3. The petitioner in association of other co-accused is said to have tortured the daughter of the informant on non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



As a matter of fact, the deceased Pooja Kumari was suffering from mental depression and she died at her own home due to mental depression. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is the husband of the deceased and there is specific allegation against him, hence, he does not deserve bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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