

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47770 of 2023

Arising Out of PS. Case No.-268 Year-2022 Thana- BHAGWANPUR District- Begusarai

RAJNISH KUMAR @ RAJNEESH KUMAR SINGH S/O SHREE
DEVKANT SINGH R/O Village- Mukhetayapur, P.S- Bhagwanpur, Distt.-
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-08-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 268 of 2022, registered for the offences punishable under Sections 498(A), 304(B), 323 and 504 of the Indian Penal Code.
3. The case of the prosecution, in brief, according to the informant/complainant, is that the marriage of the daughter of the informant was solemnized with the petitioner on 13.06.2011 and during the course thereof cash amount and gifts were given to the petitioner and his family members, whereafter the daughter of the informant had gone to her matrimonial home and after sometime the



petitioner got employed at Delhi, whereupon the accused persons started demanding a sum of Rs. three lacs by way of dowry, however, on account of non-fulfillment of the said demand for dowry, the accused persons including the petitioner herein started torturing and beating the daughter of the informant and subsequently she was ousted from her matrimonial home but on account of intervention of well-wishers, the petitioner had again brought her back to her matrimonial home, after being paid a sum of Rs. 15,000/- i.e. in the month of July, 2014 and then the daughter of the informant was taken to Delhi, however, subsequently it transpired that the accused persons including the petitioner herein had killed the daughter of the informant by setting her on fire, resulting in her death on 20.08.2014.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner has got no role to play in the alleged occurrence and in fact the clothes of the victim lady



had caught fire while she was cooking food, resulting in her death.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that *prima facie* the petitioner is the main accused who is stated to have burnt her wife to death and he is yet to join investigation, I do not find the present case to be at least a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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