

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57381 of 2022

Arising Out of PS. Case No.-456 Year-2021 Thana- JOGAPATTI District- West Champaran

Jiut Rai @ Jiut Bhar @ Jeeut Rai S/O Kodai Rai Resident Of Village And
P.S.- Nawalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 304(B), 201 and 120(B)/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, on non-fulfillment of the demand for dowry all the accused persons committed murder of the daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is the husband of the deceased. He submits that there is no specific overt act against the petitioner. He further submits that from FIR it appears that the brother of the deceased Umesh Kumar Rai made application



before the Officer-in-Charge of Nawalpur Police Station within the District- West Champaran disclosing that his sister was coming ill and due to illness she was died and thereafter with the consent of both the parties the funeral of the deceased was done. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the there is specific allegation against the petitioner and petitioner is the husband of the deceased. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, arguments of the parties and nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Yogapatti (Nawalpur) P.S. Case No. 456/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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