

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62655 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- BIKRAMGANJ District- Rohtas

RAVI SHANKAR S/O LATE MAHENDRA CHOUDHARY R/O
MOHALLA- ANAND NAGAR, WARD NO. 5, P.S- BIKRAMGANJ,
DISTT.- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bikramganj Police Station Case No. 229 of 2023, disclosing offences under Sections 498(a)/304(b)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.
3. The prosecution case, as per the First Information Report, is that the daughter of the informant, aged about 22 years, has been killed by the accused persons by strangulating her with the help of scarf due to non-fulfillment of demand of dowry. The petitioner is husband of the deceased and he has been made accused, along with other



family members. The allegation against the petitioner is that he is the main conspirator and on the behest of the petitioner other family members has killed the informant's daughter in her matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged. He next submits that on the date of occurrence the petitioner was not present in his house and was on duty far away in Mumbai. The petitioner is loco-pilot in Railways and the fact the he was on duty would be evident from duty chart.
5. I have heard learned counsel for the parties. From perusal of the First Information Report, it appears that there is specific allegation against the petitioner that the planning was made by the petitioner and he has conspired to kill the deceased due to non-fulfillment of demand of dowry. The allegation of demand of dowry is also there in First Information Report and further the daughter (deceased) of the informant has been killed in suspicious condition in her matrimonial home within seven years of marriage. The nature of death, whether it is suicidal, homicidal or accidental is not very important in such kind of cases.



There is presumption under Section 113 A and 113 B of the Evidence Act against the accused persons. Accordingly, I am not inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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