

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71423 of 2022**

Arising Out of PS. Case No.-156 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

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NILESH KUMAR @ NILESH KUMAR SAHANI Son of Mr. Mahesh Sahni
R/V- Ghosaut, P.S- Siwaipatti, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mrs.Vaishnavi Singh
For the Opposite Party/s :	Mr.Ashok Kumar Singh
	Mr. Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 20-07-2023 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 304(B)/34 of the
Indian Penal Code.

3. It is a case of dowry death.

4. Petitioner is husband of the deceased.

5. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in the case only to harass, humiliate and extort him.
It is further submitted that FIR was lodged after one day of the
occurrence without any explanation. The deceased was mentally
unfit and she had irresistible impulse to commit suicide. There is
no eye witness of the occurrence and only on suspicion



petitioner has been made accused in this case. Petitioner has got clean antecedent.

6. Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail. It is submitted that petitioner is the husband and the deceased died within seven years of marriage under unnatural circumstances. The post mortem report shows the cause of death as asphyxia due to anti mortem hanging.

7. Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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