

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.631 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

PUNIT PANDEY S/O RAM PRABHAW PANDEY R/v- Badheri, P.S.-
Chand, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2023 Heard learned counsel for the parties.

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

It is a case of ‘Dowry Death’.

It is submitted on behalf of petitioner that the deceased was married with this petitioner in the year 2015 and the she died after seven years of marriage and as such, no case under Section 304(B) of I.P.C. is made out. As a matter of fact, the deceased was lady of short temperament and she herself committed suicide by hanging. In this connection, mother of the deceased initially submitted a written application to the police stating therein that deceased committed suicide, as a result of which, U.D. Case No. 7 of 2022 was registered, but after about five days of occurrence, this false and concocted case has been lodged after consultation and due deliberation.



However, learned A.P.P. for the State vehemently opposes the prayer for bail and submits that deceased was married with petitioner five years ago and was subjected to cruelty and harassment by this petitioner and his family members due to non-fulfillment of dowry. She died in an unnatural circumstances at her matrimonial home within seven years of marriage.

Considering the nature and gravity of the offence and the fact that petitioner is husband of the deceased and there is specific allegation of demand of dowry, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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