

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9049 of 2024**

Arising Out of PS. Case No.-338 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Gajendra Rai @ Gajendra Kumar Son of Ramnath Rai R/o vill - Hetanpur,  
P.S. - Patori, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      05-03-2024                      1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel for the O.P. No. 2.
2. The petitioner apprehends his arrest in connection with Patori P.S. Case No. 338 of 2023 registered for the offences punishable under Sections 341, 323, 498A, 304B, 504, 506 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case by the informant being husband of the deceased. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of demand and torture is general and omnibus in nature. It is also submitted that the



informant is not an eye witness to the occurrence.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the marriage of the deceased with the petitioner was performed in the year 2018 and death was within 7 years of marriage, as such, there is a presumption in law also against the petitioner. It is next submitted that it is the responsibility of the husband to ensure the well being of his wife. It is also submitted that investigation is still going on.

5. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

**6. Accordingly, the present anticipatory bail application stands rejected.**

**(Satyavrat Verma, J)**

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