

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4468 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- BELHAR District- Banka

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Nitish Kumar @ Nitish Kumar Pandit Son of Bindeshwari Pandit @
Vindeshwari Pandit Resident of Village - Chandan Nagar, P.S.- Belhar,
District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2024 Heard Mr. Sharda Nand Mishra, learned counsel for

the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in Belhar P.S.

Case No. 255 of 2023 registered for the offences punishable

under Sections 326, 302, 34 of the Indian Penal Code.

3. As per the prosecution case, the informant

alleged that her daughter was killed by the accused persons

including the petitioner due to non-fulfillment of dowry.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this

case. The allegation levelled against the petitioner is not

specific rather general and omnibus in nature. He submits that



the marriage of the petitioner was held just one week before the occurrence. He further submits that unfortunately the deceased was suffering from *Mirgi* and during cooking she burnt. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is husband of the deceased and their marriage was held just one week before the occurrence.

6. Considering the facts and circumstances of case and the fact that petitioner is husband of the deceased and their marriage was held just one week before the occurrence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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