

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12491 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- KUDHNI District- Muzaffarpur

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1. Krishna Devi W/O RAJ NANDAN PRASAD R/O VILLAGE- BANGRA BANSHIDHAR, PS.- KUDHANI, DIST.MUZAFFARPUR.
 2. NAVIN KUMAR NIRALA S/O RAJNANDAN PRASAD R/O VILLAGE- BANGRA BANSHIDHAR, PS.- KUDHANI, DIST.MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
	:	Ms. Vaishnavi Singh
	:	Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kudhani Police Station Case No. 418 of 2023, disclosing offences under Sections 304(B), 34 of the Indian Penal Code.
3. As per the First Information Report, the marriage of the informant's sister was solemnized with the petitioner No. 2 in the year 2022 and on 06.08.2023, the informant received the information that her sister has been killed by the petitioners and others due to non-fulfillment of demand of dowry of Rs. 5 lacs and four-wheeler. Upon



arrival, the informant saw that the dead body of her sister was lying on cot in the verandah of her matrimonial home. The deceased was taken to the hospital where her postmortem was conducted and body was handed over for the last rights.

4. Mr. Ajay Kumar Thakur, learned Counsel for the petitioners, submits that the petitioners have falsely been implicated in the present case and the allegation of torture is false and fabricated. The postmortem report of the victim does not disclose any external injuries and the opinion has been reserved by the doctor for ascertaining the cause of death. Infact, the informant was not liking her matrimonial home and mostly resided in her parental home and one month before the occurrence, she had come to live with her family at her matrimonial home and committed suicide.
5. I have heard learned counsel for the parties and have gone through the materials on record including the impugned order. Within one year of the marriage, the informant's sister died an unnatural death in her matrimonial home. The nature of death is not important whether it is natural, suicidal or accidental but the fact of the matter is that



victim died an unnatural death within one year of her marriage. There is a presumption against the accused persons under Section 113(A) and 113(B) of the Evidence Act. The offence is serious in nature and the punishment thereof is also serious, accordingly, I am not inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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