

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26491 of 2024

Arising Out of PS. Case No.-177 Year-2023 Thana- JAMHOR District- Aurangabad

Ashish Ranjan Kumar @ Ashish Kr Ranjan @ Assish Kumar Ranjan @ Assis
Ranjan Kumar Singh Son of Pushpendra Singh Resident of Village- Jeevan
Bigha, P.S.- Jamhore, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Advocate
	:	Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP
For the Informant	:	Mr. Santosh Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Jamhore PS case no. 177 of 2023, disclosing
offences punishable under Sections 304(B), 201/34 of the Indian
Penal Code.
3. The prosecution story, as per the First Information
Report, is that on 22.02.2023, the petitioner was married to the
informant's sister and only 15 days of the marriage, she was
subjected to cruelty on account of demand of dowry. It is
alleged that in March, 2023, she was administered poison by her
husband (petitioner) but anyhow, she recovered. On 27.08.2023,



informant came to know that his sister has died. When he made enquiry, it came to light that on 26.08.2023, his sister fell ill and she was taken to Varanasi for treatment where she died. Thereafter, the petitioner took the dead body to Kutumba (Aurangabad) instead of vill- Jiwan Bagh (Aurangabad) and informed informant's uncle but when his uncle reached there, they took away the dead body to Vill-Jiwan Bagh and cremated the same.

4. Learned Senior Counsel for the petitioner submits that petitioner has falsely been implicated in the present case, inasmuch as F.I.R. has been lodged after 07 days of the occurrence, as the occurrence took place on 26.08.2023 and F.I.R. has been lodged on 01.09.2023. Learned counsel further submits that deceased has died due to illness during treatment, petitioner is husband who took all possible steps for treatment of the deceased.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that the deceased died at her matrimonial home only after six months of her marriage, in suspicious condition. Referring to paragraph no. 43 of the case diary, learned counsel submits that the police, during investigation, examined the prescription of the



hospital, in which it was written “Brought dead by family members”.

6. I have heard learned counsels for the parties and perused the materials available on record. The petitioner is husband of the deceased. Just after six months of the marriage, deceased has died in her matrimonial home in suspicious condition. There is specific allegation of demand of dowry. During investigation, it has come to light that deceased was brought dead in the hospital. The deceased has died unnatural death within 07 years of her marriage. The nature of the death is not important whether it is homicidal, suicidal or accidental. There is presumption against the accused persons under Section 113-A and 113-B of the Evidence Act, 1872.

8. Taking into consideration the aforesaid facts and nature of allegation, I am not inclined to grant petitioner, the privilege of anticipatory bail.

9. The bail application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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