

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27932 of 2024

Arising Out of PS. Case No.-630 Year-2021 Thana- AKBARPUR District- Nawada

Dhirendra Kumar Son of Ramdhani singh @ Ramadhin Singh Resident of
Village- Diri, Police Station- Akbarpur, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Raj Krishna Jha, Adv.
For the Opposite Party/s :	Mr. Pramod Kumar Pandey, APP.
	Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Akbarpur
P.S. Case No. 630 of 2021 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the
petitioner, husband of the deceased, is that he after solemnizing
his second marriage with co-accused, Sinku Kumari, started
assaulting the informant's daughter brutally due to which she
sustained serious injuries and died on 07.10.2021 in course of
treatment.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the informant's daughter died due to problem in kidney and liver. The postmortem of the deceased was conducted, but no any internal or external injury was found on the body of the deceased. Hence, postmortem report does not support the prosecution case. There is no allegation of giving poison to the informant's daughter. It is further submitted that from bare perusal of the FIR, it is evident that the informant is not an eye witness of the alleged occurrence. It is further submitted that the allegation regarding solemnizing second marriage against the petitioner is totally false. The present case has been lodged by the informant only with a view to extort money and get the land in question registered in the name of his granddaughter. The intention of the informant is clear from filing of partition suit bearing Partition Suit No. 51/2024 dated 13.02.2024. Petitioner has no criminal antecedent and he is languishing in jail custody since 10.10.2023.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel



for the informant submits that there is specific allegation against the petitioner to assault his first wife i.e. informant's daughter brutally in association of co-accused Sinku Kumari due to which the informant's daughter died in her matrimonial home. He further submits that daughter of the deceased (P.W.-1) has also supported the prosecution case in her deposition.

6. Having regard to the facts and circumstances of the case as well as considering the fact that the daughter of the deceased has also supported the prosecution case, I am not inclined to enlarge the petitioner on bail. The prayer for regular bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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