

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32686 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- SAHARGHAT District- Madhubani

RADHA MOHAN THAKUR @ RADHE MOHAN THAKUR SON OF
RAJEEV THAKUR RESIDENT OF VILLAGE - BENGRA, P.S. -
SAHARGHAT, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and the learned counsel
for the informant.

2. The petitioner is apprehending his arrest in connection
with Saharghat P.S Case No. 36 of 2023 dated 13.03.2023
registered for the offence punishable u/s 304B and 34 of the Indian
Penal Code.

3. As per the prosecution case, the petitioner and the co-
accused persons are alleged to have killed the informant's grand
daughter due to non-fulfillment of demand of dowry and the dead
body was hanged to make it look like a suicide.

4. Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. There is
general and omnibus allegation against the petitioner who is the
husband of the informant's grand-daughter. The petitioner neither



demanded any dowry nor tortured the informant’s grand-daughter. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is the husband and the deceased who strangled by “dupatta” and as per the inquest report, her feet were touching the cot which revealed that after committing murder the dead body was hanged. The cause of death is due to Asphyxia caused by hanging.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of the bail of the petitioner in accordance with law and on its own merits without being prejudice by this order.

8. This application is rejected.

(Chandra Prakash Singh, J)

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