

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40443 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- INDUSTRIAL District- Bhagalpur

Dheeraj Jha @ Dheeraj Kumar @ Raghav Sri Devendra Jha R/O Mohalla-
Dangalpada,Dumka, P.S.- Dumka, Dist- Dumka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Adv.
Mr. Avinash Kumar, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Industrial Area P.S. Case No. 114 of 2023 registered under Sections 302, 328, 376(D) and 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that this petitioner, along with another co-accused, Rakesh Kumar, committed rape with the wife of informant and thereafter fed poison to her, which resulted in her death during the course of treatment.

4. Submission of learned counsel for the petitioner is that the petitioner is the Manager of Hero Show Room, Zeromile, Bhagalpur since long and has committed no offence as alleged



in the F.I.R. On the alleged date and time of occurrence, petitioner who was discharging his duty as Manager noticed that the wife of informant namely, Ruhi Kumari, who was staff in the said showroom, was getting unconscious, therefore, the workers present in the office rushed to hospital. While she was being taken to hospital, the husband of the deceased was also informed. It is further submitted that during course of investigation, it has come in the C.C.T.V. footage that the deceased took some medicine and thereafter became unconscious and nothing incriminating is said to be found in the prosecution case. The inquest report also shows that the cause of death was due to poison.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail by contending that there is specific allegation against this petitioner along with another co-accused, Rakesh Kumar that they committed rape with the wife of informant and fed poison to her which was disclosed by the deceased to her husband while she was taken to hospital. The inquest report shows the cause of death was due to poison.

6. Having considered the nature of accusation and the rival submissions advanced on behalf of the parties as also the materials that has come during course of investigation, this



Court is not inclined to grant anticipatory bail to the petitioner.
Accordingly, prayer for bail of the petitioner is, hereby, rejected.

(Prabhat Kumar Singh, J)

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