

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42459 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- BASANTPUR District- Siwan

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Jitendra Kumar Sahani @ Jitendra Sahani S/o Jagmohan Sahani @ Chhekan Sahani R/o VILL - RAJAPUR MALAHI TOLA, P.S. - BASANTPUR, DIST - SIWAN

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh
For the Informant	:	Mr. Avinash Kumar
		Mr. Rajiv Ranjan
For the Opposite Party/s :		Mr. Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Basantpur P.S. Case No. 271 of 2023 dated 13.06.2023 registered for the offence/s punishable u/s 304B/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have hanged the informant's daughter to death due to non-fulfillment of demand of Freeze and Cooler as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and stated that the petitioner is the husband of the deceased. The cause of death is asphyxia due to hanging. The witnesses have supported the prosecution case.

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 and the same is rejected with direction to the petitioner to surrender before the Court below concerned within a period of six weeks from the date of this order and the prayer for regular bail, the learned Court below will consider his prayer for regular bail in accordance with law and on its own merits without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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