

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46840 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- NAUTAN District- Siwan

AYODHYA MISHRA Son of Ramayan Mishra Resident of village -
Marachhi, P.s. - Nautan, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nautan P.S. Case No. 125 of 2022 registered for the
offences punishable under Sections 304(B), 201 and 34 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner being father-in-law has been falsely implicated in the
present case by the informant who is mother of the deceased.

4. It is next submitted that the informant alleges that
her daughter was married to Chandan in the year 2020 and after
marriage the accused persons including the petitioner were
torturing her daughter for dowry and were demanding a
motorcycle. It is next alleged that on 01.06.2022, the informant



came to know through her brother-in-law (*Nandosi*) that her daughter has died, on which she tried to contact her son-in-law and his father but they did not talk. It is next alleged that when she reached the place of occurrence, she came to know that the dead body already has been cremated.

5. The learned counsel next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of demand and torture is general and omnibus in nature. It is also submitted that whenever any dispute arises in between the husband and the wife, the entire family members are implicated in a mechanical manner with exaggerated allegation.

6. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, vehemently opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation, it manifests that the dead body of the daughter of the informant was cremated in her absence. It is further submitted that had the petitioner not participated in the occurrence in that event they would have not cremated the dead body rather in order to establish their innocence would have sent the body for postmortem or at least would have waited for the family members of the deceased.



7. Considering the submissions made by the learned APP, the Court is not inclined to entertain the anticipatory bail application of the petitioner.

8. Accordingly, the present anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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