

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62987 of 2024**

Arising Out of PS. Case No.-38 Year-2024 Thana- BANSHI District- Jehanabad

Kundan Kumar son of Sudhir Kumar village- Sidhrampur, Ps- Banshi, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak, Adv.
For the informant : Ms. Shweta Kumari, Adv.
Mr. Ranvijay Singh, Adv.
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Banshi P.S. Case No. 38 of 2024 dated
19.03.2024 registered for the offences punishable under
Sections 304B, 120B read with Section 34 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the informant's
sister mentally and physically due to non-fulfillment of demand
of Rs. 5,00,000/- as dowry. On 18.03.2024 at about 12,00 hours,



the informant got information that the accused persons have committed murder of his sister by administering some poisonous substance and the co-accused *Ajay Kumar Sao* being a quack doctor is also involved in the conspiracy to commit the said offence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner is the husband of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant's sister. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is the husband of the deceased and the specific allegation is against the petitioner who committed murder his wife with the help of the co-accused persons due to non-fulfillment of demand of dowry. The informant in his re-statement in para 5 and the witnesses in their statements in paras 6, 7 and 8 of the case diary have also supported the prosecution case as stated in para 5 of the impugned order. As per the post-mortem report,



the cause of death of the victim is kept reserved till receiving of the F.S.L. report.

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 bail of the petitioner 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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