

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62759 of 2024

Arising Out of PS. Case No.-569 Year-2021 Thana- NARPATGANJ District- Araria

Amit kumar Yadav S/o Arjun Yadav R/o vill - Madhura, Dakshain, ward no. 09, P.s.- Narpatganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Narpatganj P.S. Case No. 569 of 2021 dated 28.12.2021 registered for the offences punishable u/s 328, 304B 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 daughter mentally and physically due to non-fulfillment of demand of Rs. 1,00,000/- and a motorcycle as dowry. On 25.12.2021 at about 2:00 P.M. the informant got information that petitioner and the co-accused persons have administered poison to the informant's daughter and she died during the course of treatment.

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 deceased. The petitioner has not participated in the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is the husband of the deceased who committed murder due to non-fulfillment of demand of dowry.

6. Considering the aforesaid facts and circumstances as well as the fact that 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 toady and the Court below shall consider the prayer of bail of the petitioner without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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