

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69195 of 2024**

Arising Out of PS. Case No.-314 Year-2024 Thana- GAUTAMBUDHNAGAR District-  
Siwan

- 
1. Durgesh Pathak @ Durgesh Kumar Pathak @ Durgesh Kr. Pathak Son of Uma Pathak @ Umanath Pathak Resident of Village- Harnathpur, P.S.- Raghunathpur, District- Siwan
  2. Jyoti Pathak @ Jyoti Kumari Wife of Durgesh Pathak @ Durgesh Kumar Pathak Resident of Village- Harnathpur, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP.

---

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      22-10-2024              Heard learned counsel for the petitioners and learned APP  
for the State.

2. The petitioners apprehend their arrest in connection with G.B. Nagar P.S. Case No. 314 of 2024 registered for the offences punishable under Section 304(B), 201, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. All the F.I.R. named accused persons including these petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Petitioners are *Nandoshi* and *Nanad* of the deceased, respectively. Petitioner no.2 has been living with her husband at her matrimonial house for a long time. They had no role in the alleged occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the alleged occurrence took place within 16 months of marriage. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. Accordingly, the application stands dismissed.

**(Anjani Kumar Sharan, J)**

divyanshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

