

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80570 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Md Nadir Son of Md Muslim village- Haldikhora Ward no. 05 Thana
-Kochadhaman District -Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 10-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kochadhaman Police Station Case No. 126 of 2024, dated 13.07.2024, disclosing offences under Sections 103(1)/80/3(5) of the Bharatiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that the informant solemnized the marriage of her daughter (now deceased) with the petitioner one year back. After marriage the petitioner, alongwith other accused persons, started harassing and torturing the informant's daughter mentally and physically and demanded dowry. It has further been alleged that the



petitioner and other accused persons have killed the informant's daughter on 13.07.2024.

4. Learned counsel for the petitioner submits that the petitioner is the husband of the informant's daughter and has not committed any offence in the manner alleged. He further submits that the petitioner has been made accused due to family dispute. He next submits that deceased has committed suicide and the allegation that the petitioners alongwith others have killed the deceased is false.
5. I have heard learned counsels for the parties and perused the materials available on record.
6. From perusal of the impugned order, it appears that within one years of marriage the deceased has died in her matrimonial home. The nature of the death is not important whether it is homicidal, suicidal or accidental, but the fact is that deceased has died an unnatural death within one years of her marriage. There is presumption against the accused persons under Section 113-A and 113-B of the Evidence Act, 1872. The petitioner husband of the deceased and there is allegation against him that he, alongwith others, demanded dowry from the deceased. Accordingly, I am not inclined to grant the petitioner the



privilege of anticipatory bail.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

