

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83823 of 2023

Arising Out of PS. Case No.-391 Year-2023 Thana- DUMRA District- Sitamarhi

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AMAR MANDAL @ AMARNATH MANDAL SON OF VINOD MANDAL
RESIDENT OF VILLAGE- RAMPUR BAKHARI, P.S. - DUMRA,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Birendra Kumar
For the Informant	:	Mr. Rajeev Kumar Singh
For the Opposite Party/s	:	Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 27-09-2024 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Dumra P.S. Case No. 391 of 2023 dated 09.08.2023 registered for the offence/s punishable u/ss 302 and 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 killed the informant's daughter due to non-fulfillment of demand of Rs. two lakhs as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The



petitioner is the husband of the deceased who was not present on the date of the alleged occurrence. It is further submitted that the informant's died due to hanging. The petitioner neither demanded any dowry nor tortured the deceased. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the petitioner is the husband of the deceased. He committed murder of the informant's daughter for the sake of dowry. It is further submitted that the plea of alibi may not be taken for consideration at this stage.

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 and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below may consider his prayer for regular bail 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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