

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81712 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- BARBIGHA District- Sheikhpura

RAVI SHANKER KUMAR @ RAVINDER KUMAR SON OF KARU
YADAV R/O VILLAGE- BADKI MUSAPUR, P.S.- BARBIGHA (KEOTI
O.P.), DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv.
For the Informant	:	Mr. Dr. Anjani pd Singh, Adv.
		Mr. Sunny Kumar, Adv.
For the Opposite Party/s :		Mr.Arun Kumar, APP

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

ORAL ORDER

4 15-04-2024 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 Barbigha (Keoti O.P.) P.S. Case No. 310 of 2023
dated 14.07.2023 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 sister 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.
The petitioner is the husband of the deceased. The petitioner neither



demanded any dowry nor tortured the deceased. It is further submitted that the final report has already been submitted against the petitioner after investigation but learned court below took cognizance against the petitioner and the co-accuse persons u/s 304B of the IPC. It is further submitted that the informant's sister was alone at her matrimonial home and she committed suicide, reason best known to her. It is further submitted that the dispute used to arise between the petitioner and the deceased with regard to the earning. 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 and he used to tortured the deceased due to non-fulfillment of demand of dowry. The petitioner and the co-accused persons killed the sister of the informant by strangulating her which gets support from the postmortem report and the inquest report of the deceased. The doctor has opined that the cause of death is Asphyxia due to hanging. 'U' shaped dark brown ligature mark was found over upper neck. Learned counsel has further stated that it is not a case of suicide.

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 will 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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