

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82689 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- AKHODHIGOLA District- Rohtas

Raju Baitha @ Raju Kumar S/O Nirmal Baitha Resident of Village-
Govardhanpur Dhobi Tola, P.S- Akhodhigola, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 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 Akhodhigola Police Station Case No. 145 of 2024, dated 22.06.2024, disclosing offences under Sections 341/323/304-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant solemnized the marriage of his daughter with the petitioner in the year on 21.04.2024. After marriage the petitioner, alongwith other accused persons, started demanding motorcycle and due to non-fulfillment of the demand on 21.06.2024, the elder of the informant informed that the deceased has been killed by the accused persons.



4. Learned counsel for the petitioner submits that the petitioner is husband of the deceased. He next submits that the allegation against petitioner, alongwith others, is general and omnibus in nature on the basis of false and concocted story. He further submits that the elder daughter of the informant and the deceased has been married in the same matrimonial home and on the date of alleged occurrence a quarrel between the sisters regarding partition in the house took place and due to the same the deceased has committed suicide.
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 year 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 year of her marriage. There is presumption against the accused persons under Section 113-A and 113-B of the Evidence Act, 1872. The petitioner is husband 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. The bail application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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