

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6651 of 2025

Arising Out of PS. Case No.-329 Year-2023 Thana- BELAGANJ District- Gaya

Rakesh Das S/O Late Malal Das R/O Vill.- Salepur, P.S.- Belaganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Aryan Singh, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2025 Heard Mr. Aryan Singh, learned counsel appearing on behalf of the petitioner and Mr. Pramod Kumar Pandey, learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 304B and 498A of the Indian Penal Code.

3. As per prosecution case, informant, namely Govind Das, alleged that marriage of his sister was solemnized with this petitioner in the year 2004 and thereafter, she was continuously harassed and tortured for dowry by all the accused persons, including this petitioner. It is further alleged that on 18.05.2023 all the accused persons, including this petitioner, assaulted the victim and administered her poison as a result of which she died.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case merely because he happens to be husband of the deceased. Informant is not an eye witness of the alleged occurrence. Marriage of deceased was solemnized with this petitioner in the year 2004 itself and the eldest child is aged about 17 years and during the aforesaid period, no complaint has been made by the deceased with regard to any cruelty, torture or demand of dowry. During investigation, daughter of deceased was examined and she has categorically stated that due to quarrel with this petitioner, the deceased consumed poison and committed suicide and as such, petitioner is quite innocent and has committed no offence. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with his family members, used to harass and torture the deceased due to non-fulfillment of demand of dowry and on the alleged date of occurrence, all of them have committed murder of deceased by administering poison.



6. Considering the specific and direct nature of accusation and the fact that petitioner is husband of deceased, who died unnatural death at her matrimonial house, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashank/-

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

