

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10811 of 2025

Arising Out of PS. Case No.-336 Year-2024 Thana- SAHPUR District- Patna

Ritesh Kumar S/o- Late Ravindra Singh Resident Of Village- Mathiyapur
Near Kali Mandir, Ps- Shahpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr.Ajay Kumar Prasad
For the Opposite Party/s :		Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Shahpur P.S. Case No. 336 of 2024 dated 09.10.2024 registered under Sections 80, 3(5) of the B.N.S., 2023.

3. The prosecution story as per the first information report is that the marriage of the informant's daughter was solemnized with the petitioner in December, 2022. It is alleged that the daughter of the informant was harassed and tortured by the petitioner due to non fulfillment of dowry demand. On 08.10.2024 the informant got information in the night that his daughter has committed suicide in her matrimonial home. When the informant went there, he saw body of the deceased was hanging with the ceiling.



4. Mr. Y.C. Verma, learned senior counsel appearing for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He submits that there is no evidence on record to show that soon before death the deceased was subjected to cruelty or harassment by the petitioner for demand of dowry. He next submits that vague allegation of demand of dowry has been levelled against the petitioner. He also submits that due information was given to the father of the deceased (informant) by the persons of the matrimonial home immediately after the incident. The petitioner has got no criminal antecedent.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that within two years of marriage the deceased has died in her matrimonial home in suspicious condition.

6. I have heard learned counsel for the parties. From the record it appears that marriage of the victim (deceased) was solemnized in the year 2022 and within two years of marriage the informant's daughter has died an unnatural death in her matrimonial home. In the F.I.R. specific allegation of demand of dowry and torture is there against the petitioner. The nature of death is not important as to whether it was natural, accidental,



homicidal or suicidal but within two years of marriage the informant's daughter has been found dead and there is close proximity of time between demand of dowry and death of the informant's daughter. There is presumption against the petitioner under Section 117 & 118 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Considering the gravity of offence, the severity of punishment and the fact that the present case relates to dowry death, as such, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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