

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46907 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- MAHARAJGANJ District- Siwan

Rakesh Kumar @ Rakesh Kumar Sah Son Of Ganesh Sah Resident Of
Village- Sihouta, Daldalli Bazar, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 25-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State .

2. The petitioner apprehend his arrest in a complaint
case punishable for the offence under Sections 304 B and 34 of
the Indian Penal Code .

3. It is a case of ‘Dowry Death’. As per prosecution
case, sister of informant was married with this petitioner
Rakesh Kumar Sah in the year 2017 but some time after the
marriage, daughter of informant was subject to cruelty and
harassment due to non-fulfillment of dowry and lastly, these
petitioners along with other co-accused persons killed daughter
of informant.

4. Petitioner is husband of the deceased. He is
innocent and has not committed any offence as alleged. As a



matter of fact, the deceased had committed suicide, and nobody killed her. There is no specific time, date, or nature of demand of dowry, and it is also not clear whether the deceased had given birth to a child or not, which makes the prosecution case doubtful. It is further submitted that the deceased was suffering from a respiratory ailment, and for the same she was undergoing treatment by Dr. Prakash Chand Sahi, and due to the same she became perplexed and committed suicide .

5 . However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of petitioners and submitted that petitioner is husband of deceased and there is specific allegation against him that he along with other co-accused persons committed torture to deceased for dowry and ultimately , they killed her.

6. Considering the fact that petitioner is husband of the deceased, materials available on record and other circumstances of the case , and as such, the prayer for pre-arrest bail petition of petitioner is hereby rejected.

(Prabhat Kumar Singh, J)

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