

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67350 of 2024

Arising Out of PS. Case No.-249 Year-2022 Thana- BHAGWANPUR District- Begusarai

Dharam Das @ Prem Kumar @ Dharam Kumar Das, Son of Kalpu Das @
Paltu Das R/O Vill.- Paridah, P.S.- Hasanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nakul Jamuar, Advocate
For the Opposite Party/s	:	Mr.Narsingh Tanti, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 5 24-01-2025 1. Heard learned counsel appearing on behalf of the petitioner, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing for the informant.
2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Bhagwanpur P.S. Case No. 249/2022, registered for the offences punishable under Sections 498(A), 304(B), 201 of the Indian Penal Code.
3. The allegation against petitioner is to cause death of the sister of the informant/complainant due to non-fulfillment of demand of dowry, which alleged to be raised for



a cash of Rs. 2 lacs and one motorcycle.

4. Learned counsel appearing on behalf of the petitioner submitted that during investigation, it transpires that death of sister of the informant/complainant took place in his own house, therefore, the petitioner is not in a position to explain the death. It is further submitted that the demand of dowry not appears available *prima facie* soon before the occurrence and, therefore, no case under Section 304B of the Indian Penal Code appears made out against petitioner, who is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel Mr. Rajesh Kumar, appearing on behalf of the informant, while opposing the prayer of anticipatory bail submitted that the investigating officer noted misleading fact during investigation as in complaint petition, it is categorically averred that after compromise the sister of the informant joined her matrimonial home along with petitioner, who is none but the husband of the deceased. It is submitted that dead body of the deceased was also concealed by this petitioner. It is further pointed out that the thrust of allegation *qua* cruelty and dowry death



being husband is available against this petitioner, where investigation is still continued.

6. Considering the aforesaid facts and circumstances and by taking note of fact as the thrust of allegation *qua* dowry demand and cruelty is available against this petitioner, who is the husband of the deceased, accordingly, the prayer of anticipatory of the petitioner stands rejected.

(Chandra Shekhar Jha, J)

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