

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7411 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -RAUTARA District- KATIHAR

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Babloo Yadav Son of Mahendra Yadav Resident of village - Chandwa,
Police Station - Rautara, District - Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-03-2015 Heard both sides.

The petitioner seeks bail in Routara P.S. Case No. 55/2014 registered for the offence under Section 498(A), 306 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The father of the deceased made allegation that his daughter was married to the petitioner in the year 2009, and she could not give birth to a child. The accused persons were always torturing his daughter and subjecting her to physical torture. They were demanding a motorcycle on account of such his daughter committed suicide.

The learned counsel for the petitioner submits that victim was pregnant for six weeks. The victim was short tempered

lady. She wanted to go to her Naihar on the occasion of Raksha Bandhan and when not allowed, she committed suicide.

It appears that the informant made allegation of demand of dowry and torture against the petitioner. The petitioner is the husband of the deceased. From perusal of the record it appears that one ligature mark was found on the neck of the deceased. The doctor opined that on account of shock due to Asphyxia the deceased died.

Considering the facts aforesaid and the fact that the petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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