

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11160 of 2015

Arising Out of PS.Case No. -173 Year- 2013 Thana -BHAGWAN BAZAR
District- SARAN

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Amit Kumar Singh S/o Dr. Punayadeo Singh @ Dr. P.D. Singh, Permanent resident of Mohalla - Kashi Bazar, P.S. - Bhagwan Bazar, District - Saran, presently residing at 405, Anu Plaza Apartment, Ramchandrapura Main Road, Vidyaranyapura Post, Bangaluru - 560097, Karnataka.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nand Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 24-06-2015

Heard both sides.

The petitioner apprehends his arrest in Bhagwan Bazar P.S. Case No. 173/2013, registered for the offences punishable under Sections 304B & 34 of the Indian Penal Code.

The father of the deceased alleged that his daughter was married to the petitioner but on account of non-fulfillment of demand of dowry his daughter was killed.

Learned counsel for the petitioner submits that the petitioner is the husband and he is residing in Bangalore, as he is working in Tata Consultancy. The petitioner was not present in his house on the date of occurrence.

It is submitted that the wife of the petitioner got burnt from her belly to thighs before her marriage and therefore cohabitation was not possible. Even after marriage the petitioner got her treated. She was

treated in Fortis Hospital, Delhi for removal of tissue expander. She was undergoing treatment but she was under depression and she herself committed suicide by hanging after closing the door from inside.

It is submitted that it would appear from para 42 of the case diary that the victim made suicidal attempt and cut her hand thereafter committed suicide by hanging herself. The police after investigation submitted final form against the father-in-law and other in-laws of the deceased.

On the other hand learned counsel for the State submitted that the prayer for anticipatory bail of co-accused was rejected by this court.

From perusal of the record, it appears that the father of the deceased made specific allegation that the petitioner and his family members were torturing the deceased for purchasing a flat in Bangalore. The inquest report shows that there was cut injuries on the hands and other parts of the deceased. The deceased died within four years of her marriage in her in-laws house. The petitioner never disclosed the facts of inability of his wife.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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