

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36835 of 2015

Arising Out of PS.Case No. -484 Year- 2013 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Kundan Singh @ Kundan Kumar Son of Ram Sevak Singh resident of
Amaiya Baijalpur, P.S. Asarganj, District - Munger

.... Petitioner

Versus

1. The State of Bihar
2. Mangal Mahto Son of Late Rito Mahto resident of Urain, P.S. Kajra,
District - Lakhisarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the Opposite Party/s : Mr. Arun Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-11-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 484C/2013, registered for the offences punishable under
Section 306 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is the husband of the deceased. Earlier, Kotwali P.S.
Case No. 148/2012 was registered under Section 304B. The police
after investigation submitted final form finding the case to be
mistake of facts. The informant filed protest petition and after the
enquiry learned Judicial Magistrate found prima facie case under
Section 306 of the Indian Penal Code. The informant has very

categorically stated that he married his daughter Suman Devi with the petitioner but the petitioner and other in-laws subjected his daughter to mental torture due to non-fulfillment of demand of dowry.

It is submitted that the deceased consumed poison on account of depression and there is no evidence to show that the petitioner ever tortured his wife or instigated her to commit suicide. The police did not find the case true.

Having considered the facts that the petitioner is the husband and the father of the deceased has made very specific allegation that the petitioner was always torturing his wife and demanding Rs. 1 lacs, consequently, the daughter of the informant and wife of the petitioner committed suicide by consuming poison, 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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