

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52008 of 2014

Arising Out of PS.Case No. -79 Year- 2013 Thana -WAJIRGANJ District- GAYA

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1. Kishan Singh @ Krishna Singh S/o Girani Singh R/o Village -
Wazirganj, P.S. - Wazirganj, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar Sinha

For the Opposite Party : Mr. Md. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 30-06-2015 Heard both sides.

The husband of the victim is an accused of offence punishable under Section 304 B, 201/34 of the IPC has filed the present application seeking anticipatory bail.

The mother of the victim lodged the case alleging that her daughter was married to the petitioner in April 2012 whereafter she was tortured by the sasural people including the husband for non fulfillment of demand dowry. The neighbour of the matrimonial home of the daughter called her to inform that her daughter was seriously beaten by the in-laws. Subsequently she was done to death in the matrimonial home. The dead body was also not presented for post mortem.

Contention of the petitioner is that there is delay

in lodging the case. The mother had visited the house and thereafter went to Kolkata and filed the present case therefrom. Except suspicion there is no other direct incriminating material against the petitioner.

Learned APP opposed the prayer and submitted that the relevant materials collected in course of investigation raised a serious doubt against the petitioner.

Considering the seriousness of the allegations and the fact that the death of the daughter of the informant has occurred in the matrimonial home within seven years of the marriage and the petitioner is the husband, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer for bail is rejected.

(Kishore Kumar Mandal, J)

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