

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31740 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -DARBHANGA District- DARBHANGA

Rajiv Kumar Loharuka @ Rajiv Loharuka S/o Late Ravi Sudan Loharuka
resident of Mohalla - Rajkumarganj, P.S. Darbhanga Town, District -
Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State. Learned counsel for the

informant is also present.

Case diary in the present case was called for which has

been received.

The petitioner is apprehending his arrest in connection

with Darbhanga Town P.S. Case No.33 of 2015 registered under

sections 302 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that in fact

the present case is one of suicide of the deceased and her husband,

the present petitioner, was having good relation with her. It is

submitted that the father of the deceased had taken money from

the husband of the deceased which was not being returned by him.

It is submitted that of late a further demand had been received by

the father of the deceased which was being resisted by the petitioner and on account of the same the deceased had some quarrel with her husband, the present petitioner.

Learned counsel for the informant, however, submits that the deceased was having strained relationship with her husband since long and some time back the petitioner was indulged in *Marpit* leading to fracture of hand of the deceased for which there had been Panchayti.

Learned counsel for the State after referring to some paragraphs of the case diary submits that though postmortem report suggests that it was a case of hanging, there are other materials in the case diary to indicate that there was strained relationship between the petitioner and the deceased.

Considering the aforementioned facts and circumstances of the case and the materials available in the case diary and further that the petitioner is husband, who is morally responsible for well being and maintain health of his wife, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

Md.S./-

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