

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1665 of 2015

Arising Out of PS.Case No. -65 Year- 2014 Thana -AMAS District- GAYA

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1. Raja Yadav Son of Ramdahin Yadav
2. Gauri Devi Wife of Ramdahin Yadav Both are resident of village -
Karmain, P.S- Amas, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 16-07-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in Amas P.S.
Case No. 65 of 2014 instituted for the offences under
Sections 304(B)/34 of the Indian Penal Code and Sections
34 of the Dowry Prohibition Act.

In the present case Fardbeyan has been recorded at
Anugrah Narayan Memorial Medical College and Hospital,
Gaya where statement was made that Sita Kumari daughter
of the informant entered into love affairs with Raja Yadav
(petitioner no.1) and later on they have turned to be husband
and wife. After some time they demanded dowry but the
informant showed his inability. He received information that

his daughter is dead whereupon the informant had gone to the hospital where body of the victim was found lying dead. Allegation has been made for administration of poison.

Learned counsel for the petitioners submits that it is a classic case of honour killing and girl and boy belong to different caste. This marriage was un-acceptable to the family of the girl and on that account they have administered poison, brought the dead body of the girl in the hospital where she was declared dead. In support of his submission learned counsel for the petitioners has relied on paragraph no.47 of the case diary where statement of the tempo driver was recorded which shows that victim girl was lying in the bus stand and he talked to her mother and brought the victim to the hospital where she was declared dead. He further submits that there is no material to show that the victim and petitioner no.1 have ever entered into marriage but different paragraphs of the case diary shows that marriage was solemnized in the temple.

Looking to the nature of allegation, this Court is not inclined to enlarge the petitioners on anticipatory bail. Accordingly the prayer for bail is rejected. However, this

order will not prejudice the court below in considering the case of the petitioners.

(Shivaji Pandey, J)

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