

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31887 of 2013

Arising out of P.S.Case No.-116 Year-2012 Thana-MOKAMAH District-PATNA

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1. Chandan Paswan @ Chandan Kumar, Son of Shri Lakhan Paswan,
Resident of Village - More English, P.S. - Mokama, Dist. - Patna

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate

For the Informant : Mr. Sudhir Kumar Upadhyay, Advocate

For the Opposite Party : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

10 13-05-2015

Heard learned counsel for the petitioner and

learned counsel for the State.

This is a petition for grant of anticipatory bail in a case under Sections 304B and 201/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. The marriage of the daughter of the informant was solemnized on 20.06.2010. There is allegation of demand of dowry and on non-fulfilment of the same, subjecting to cruelty and killing the daughter of the informant.

The defence set up that the victim died due to illness during her treatment and in this regard death certificate has been filed.

Learned counsel for the petitioner submits that the

informant has filed a case against the petitioner under suspicion.

Learned counsel for the informant submits that the informant has no idea of such petition filed by him.

However, having regard to the fact that after the death of the deceased neither the police was informed nor the post-mortem was conducted nor the informant was informed and the dead body was disposed of in heavy haste, hence, I am not inclined to grant anticipatory bail to the petitioner in connection with G.R. Case No. 897 of 2012 arising out of Mokama P.S. Case No. 116 of 2012 pending in the Court of learned Additional Chief Judicial Magistrate, Barh, Patna. The prayer of bail is rejected.

However, if the petitioner surrenders and prays for regular bail then it may be considered on its own merit without being prejudiced by this order.

(Gopal Prasad, J.)

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