

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42079 of 2014

Arising Out of PS.Case No. -139 Year- 2013 Thana -NAUBATPUR District- PATNA

=====

Tulsi Kumar Son of Late Chandeshwar Rai Resident of Village -
Ghanshyampur, P.S - Naubatpur Distt - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma

For the Opposite Party/s : None

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 21-04-2015 Heard learned counsel for the petitioner. No one
appears on behalf of the State.

Petitioner is the husband of the deceased and seeks
anticipatory bail in connection with Naubatpur P.S. case no. 139
of 2013 registered under Section 304B/34 of the Indian Penal
Code and Section 34 of the Dowry Prohibition Act.

As per the prosecution case marriage between the
victim and the petitioner was solemnized in the year 2009. It is
alleged that in the morning of 10.5.2013 the informant (father of
the victim) received a call that his daughter was lying in PMCH.
He went there only to find the dead body of his daughter. It has
thus been alleged that the victim was done to death owing to non
fulfillment of the demand of dowry.

Counsel for the petitioner submits that the victim committed suicide since she was unable to bear a child even after 4-5 years of marriage. She was, in fact, brought to the hospital by the petitioner. Some of the witnesses have supported the aforesaid facts.

Be that as it may, considering the allegation that within seven years of marriage she was done to death in a suspicious circumstance and also the fact that the petitioner was not seen at the PMCH when the informant went there, this Court is not satisfied that a case for grant of anticipatory bail is made out. Prayer for anticipatory bail is rejected.

Let the petitioner surrender and pray for regular bail before the learned Court below. In that event, the learned Court below shall consider and dispose of the same on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--