

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5307 of 2016

Arising Out of PS.Case No. -351 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Tripurari Sharan Jha @ Tripuri Saran Jha Son of Dayanand Prabhakar,
Resident of village- Fulpura, P.S.- Bidupur, Dist.- Vaishali, at present
residing at Bir Kunwar Singh Colony Jagdamba Asthan, P.S.- Hajipur
Town, Dist.- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Nand Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 01-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased.

No doubt, marriage of the deceased had taken place in
the year, 2006 but the informant claimed that the deceased was
being tortured by the petitioner and his other family members due
to non-fulfillment of illegal demand and prior to institution of the
present case, the deceased had given a petition in Mahila Police
Station, Hajipur against the petitioner and his other family
members.

The most striking feature of this case is that the
petitioner was caught by police in Saran district, when he was

taking away the dead body of deceased in a tempo. The claim of the petitioner is that the deceased died of poisoning as she was bitten by snake and after that, the deceased was taken to a clinic and got treated by the concerned doctor, which is evident from perusal of paragraph-26 of the case diary but I am not, at all, convinced with the aforesaid submission because the postmortem report of the deceased reveals that some injuries were found on her person and cause of death was found to be asphyxia.

Considering the above-said facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail, at least, at this stage and accordingly, his prayer for bail in connection with Hajipur Town P.S. Case No. 351 of 2015 pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur stands rejected.

(Hemant Kumar Srivastava, J)

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