

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8013 of 2016

Arising Out of PS.Case No. -254 Year- 2015 Thana -KATORIA District- BANKA

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Sunil Yadav, son of Hari Marrar Resident of village- Mania, P.S.- Katoria,
District- Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha

For the Opposite Party : Mr. Atul Chandra (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner, who is the husband of the deceased,

apprehends his arrest in connection with Katoria P.S. Case No.

254 of 2015 for the offence punishable under Section 304(B)/34 of

the Indian Penal Code.

The Prosecution case is that on the fardbeyan of the

informant namely Rajeshwar Yadav, stating therein that he has

married his elder daughter namely Pratima Devi (deceased) with

Sunil Yadav four years ago. After marriage, for one year he kept

her well and thereafter he started assaulting the deceased as his

son-in-law and his family members asked to bring motorcycle

from her father. On 22.10.2015 informant get information of



assault on his daughter. Thereafter informant along with his cousin came to the sasural of his daughter, but she was not present in her sasuaral. On enquiry, family member started abusing and they did not permit to enter into the house. On 25.10.2015 he got informant from village- Maina that the dead body of his daughter is lying in the well.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. There is no demand of dowry and the First Information Report has been instituted after three days of occurrence without assigning any reason. It has further been submitted that the marriage took place four years ago, but no child was born and it was on this count that the wife had killed herself. He further submits that there is no eye-witness and he has a clean antecedent.

However, the learned APP for the State submits that all the independent witnesses have supported the fact that there was always quarrel between the petitioner and his deceased wife. The police in the supervision note has found that case under section 306 of the Indian Penal Code true against the petitioner hence, opposes the prayer for bail.

Since the nature of allegation is serious resulting in

death of the wife of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail stands rejected.

(Nilu Agrawal, J.)

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