

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9757 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -CHANDI District- BHOJPUR

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1. Bhupendra Singh @ Pintu Kumar Singh, S/O- Siwadhar Singh R/O-
village Sundra, P.S.- Chandi, Dist.- Bhojpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, who is the husband of the victim,
apprehends his arrest in connection with Chandi P. S. Case No.
45 of 2015 for offence alleged under Sections 498(A), 304(B)
and 34 of the Indian Penal Code.

The prosecution case arising out of complaint case is
that the petitioner married with the complainant's elder
daughter Shilpa Devi about 4 years ago under Hindu rituals.
The petitioner along with his family was torturing the victim for
one lakh rupees to buy a tempo and the father of the petitioner
Siwadhar Singh stated that if such demands are not met he will
not keep his daughter. About four days back the informant



came to take his daughter and she told them she was being tortured by her-in-laws. On 20.05.2015 Shilpa the victim called informant and mentioned she was being assaulted by the petitioner and he is threatening to kill her, wherein he thought it might be a futile homely misunderstanding and the matter would be pacified soon. Later around 6 P.M. he received information that his daughter has been burnt to death. He went there on information, and found his daughter dead with burn injuries who was brought to the Sadar Hospital, Ara.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent, has not committed any offence and all the other co-accused has been enlarged on anticipatory bail. He further submits that he has 50 per cent locomotive handicap and is totally dependent upon his wife for movement and other activities. He further submits that he has been falsely implicated and there is no material that there was any demand for dowry earlier.

However, the learned APP for the State submits that the independent witness at para-21 of the case diary has supported the prosecution case and the petitioner is named in the F.I.R., hence, opposes the prayer of bail.

Be that as it may, considering the aforesaid

circumstances, the petitioner being the husband and independent witness has supported the prosecution case, I am not inclined to grant him the privilege of anticipatory bail. It is hereby rejected.

(Nilu Agrawal, J)

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