

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16557 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -KHANPUR District- SAMASTIPUR

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Kanhaiya Jha @ Priya Ranjan Jha Son of Pawan Jha Resident of Village-
Rajwara, PS Khanpur, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Mustaque Alam (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 02-08-2016 Heard both sides.

The petitioner apprehends his arrest in Khanpur P.S.
Case No. 115/2015, registered for the offences punishable under
Sections 304B and 34 of the Indian Penal Code.

The father of the deceased alleged that his daughter
Archana was married to the petitioner six years ago, but her
husband and others were torturing her. The deceased also gave
birth to two children. The deceased informed her father on
13.08.2015 that the petitioner and others were assaulting her and
she requested him to take her to the parents house. On such, when
the informant came, he found dead body of her daughter lying in
the room in burnt condition.

Learned counsel for the petitioner submits that marriage

was solemnized six years ago. There is no eye-witness of the occurrence. The wife of the petitioner accidentally caught fire and died. There is no evidence to show that petitioner ever tortured his wife due to non-fulfillment of demand of dowry.

But from perusal of FIR itself it appears that the informant got information from his daughter (deceased) that the petitioner was torturing and assaulting her and she requested to take her to her parents house. On such the informant father of the deceased came and found the dead body which bore extensive burn injury.

Considering the facts aforesaid and the fact that petitioner is the husband and the deceased herself informed about the torture given to her by her husband, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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