

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23818 of 2016

Arising Out of PS.Case No. -296 Year- 2011 Thana -BAHADURPUR District- DARBHANGA

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Subhash Singh Son of Shyam Nandan Singh, Resident of Village- Barauli,
Police Station Gaighat, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-06-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 342, 323 and 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the marriage was performed in the year 2009 and there was a baby born out of wedlock but subsequently the victim died at her parents' house.

Learned APP submits that the statement of the victim was recorded in the case diary where she stated that she was

caused burn injury by the petitioner, though, entire case diary does not contain any injury report. The investigation has concluded and final form (Chargesheet) has been submitted under Sections 498A, 342, 323 and 379 of the IPC and Section 3/4 of the Dowry Prohibition Act.

Since the FIR was registered in the year 2011, this Court is not inclined to interfere after five years of the registration of the FIR.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Bahadurpur P.S. Case No. 296 of 2011 pending in the court of learned SDJM, Darbhanga.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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