

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26828 of 2016

Arising Out of P.S. Case No. -13 Year- 2016 Thana -KAKO District- JEHANABAD

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Prem Kumar, Son of Surajdeo @ Sarju Yadav, resident of Village-
Dhirabigha, Police Station - Kako (Bhelawar) in the district of Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-09-2016

Heard both sides.

The petitioner apprehends his arrest in Kako P.S.

Case No. 13/2016 registered under Sections 304(B), 201/34 of the
Indian Penal Code.

The informant alleged that he got information that his
daughter was killed and, on such, he went to the Sasural of his
daughter, but he did not find his daughter Hemanti Kumari and her
husband Prem Kumar. On enquiry, it transpired that his daughter
was killed and cremated.

Learned counsel for the petitioner submits that the
petitioner is a minor boy. His date of birth as recorded in the Bihar
School Examination Board is 05.03.2001. There is no evidence to
show that the petitioner was ever married with the deceased. The
deceased did not die in the house of the petitioner.

On the other hand, Sri Ram Chandra Prasad Singh, learned A.P.P., vehemently opposed the prayer for anticipatory bail and submitted that it has come in course of investigation that the deceased was married with the petitioner and the deceased was killed and her dead body was cremated without informing the parents of the deceased. Even during the course of investigation, the witnesses have stated the fact that the deceased was killed on account of non-fulfillment of demand of dowry.

Considering the fact that the petitioner is the husband of the deceased and the allegation is that the deceased was killed within one year of her marriage, I am not inclined to enlarge the petitioner on anticipatory bail in Kako (Bhelawar) Case No. 13 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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