

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28567 of 2016

Arising Out of PS.Case No. -124 Year- 2010 Thana -KOCHAS District- SASARAM (ROHTAS)

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Mainuddin Ansari Son of Islamuddin Ansari resident of village -
Shrikantpur, P.S. Rajpur, District - Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party : Mr. Shyameshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-09-2016 Heard both sides.

The petitioner apprehends his arrest in Kochas P.S. Case No. 124 of 2010 registered for the offences punishable under Section 304B and other Sections of the Indian Penal Code.

Sagir Ansari, the informant, brother of the deceased Sahani Khatoon alleged that his sister was married to the petitioner on 25.04.2010 and she went her Sasural but her husband and other in-laws started torturing his sister when the demand of dowry was not fulfilled. The sister of the informant was dropped to her parental house on the condition that she would be allowed to live in her Sasural only when the demand is fulfilled. On request, the petitioner brought his wife on 03.10.2010 from the house of the informant and on 04.10.2010 sister of the informant was killed.



Learned counsel for the petitioner submits that the occurrence took place in the district of Buxar but the complaint petition was filed before the Chief Judicial Magistrate, Rohtas at Sasaram. On the order of senior police officer the case was sent to Buxar but the police of Buxar refused to accept the case. Again, police of Kochas police station made investigation but no material is found. The victim committed suicide on 04.10.2010 but the complaint petition was filed after 24 days of the occurrence. Other accused persons have already been granted anticipatory bail.

It appears from perusal of case diary that the informant made specific allegation about demand of dowry and torture against the petitioner. Admittedly, the victim was married to the petitioner on 25.04.2010 and she went to her Sasural on 26.04.2010 but the victim was dropped to her parental house on account of non-fulfillment of demand of dowry. Thereafter the petitioner took the victim to his house on 03.10.2010 and on the next day i.e. 04.10.2010 the victim is said to have committed suicide. The victim died in unnatural circumstances within six months of her marriage and her dead body was cremated hurriedly. Neither information was given to police nor post-mortem was done on the dead body of the deceased.

Considering the facts aforesaid, I am not inclined to

enlarge the petitioner above named on anticipatory bail in Kochas
P.S. Case No. 124 of 2010, pending in the court of Chief Judicial
Magistrate, Rohtas at Sasaram.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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