

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31881 of 2016

Arising Out of PS.Case No. -103 Year- 2015 Thana -BHANGWANPUR HAT District- SIWAN

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ASHIQUE ALI @ ASHIQUE ANSARI Son of Sattar Ansari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the sister of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 304B, 201, 498A, 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Prosecution case is that the sister of the informant was killed within two months of marriage for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the victim went missing on 04.04.2015 and till date it has not been ascertained that she is dead. Hence, prima facie case is not made out under section 304B of the Indian Penal Code and

considering the same co-accused persons have been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.47623/2015.

Keeping in view of the fact that the petitioner is the husband of the victim and the victim went missing on 04.04.2015 within two months of the marriage and the husband has not made any initiative to trace her, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Bhagwanpur Hat P.S. Case No.103/2015, pending before the learned Judicial Magistrate, Siwan.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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