

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40191 of 2016

Arising Out of PS.Case No. -269 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

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Sitaram Saw @ Pappu Saw Son of Sri Bishwanath Saw, Resident of
Mohalla- Durgi Maharaj Gali, Lakhisarai, P.S. + District:- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-11-2016 Heard Sri Ambika Bhagat, learned counsel for the

petitioner and learned Addl. Public Prosecutor.

The petitioner, husband of the deceased, has prayed
for grant of anticipatory bail in Lakhisarai P.S. Case No. 269 of
2016 registered for offence under Sections 406, 498(A) and
304(B) of the Indian Penal Code.

It was submitted by learned counsel for the petitioner
that as per complaint itself, death of daughter of informant had
occurred on 19/20 of September, 2010, whereas, complaint was
filed on 24-09-2010 without any explanation for delay and after
two months, the case was referred to police for registration of
F.I.R. and finally, F.I.R. was lodged in the year 2016. He further
submits that death of daughter of informant had occurred since she

fell down.

Besides hearing, I have also perused the material on record, which indicates that even though death of daughter of informant, as per petitioner, was accidental, there is no post-mortem examination report. If it was a case of unnatural death, in normal course, it was the duty of the husband to inform the police.

Keeping in view the fact that death had occurred within seven years of marriage and petitioner being husband, there is no reason to grant anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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