

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22940 of 2016**

Arising Out of PS. Case No. -37 Year- 2015 Thana -KAUAKOL District- NAWADA

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Vikash Yadav Son of Ganouri Yadav Resident of village - Telhatta Dhamni,  
P.S. Kawakola, District - Nawada

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      27-07-2016

Heard both sides.

The petitioner apprehends his arrest in Kawakola P.S.

Case No. 37 of 2015 registered under Sections 304(B)/34 of the  
Indian Penal Code.

The informant alleged that his daughter was married  
with the petitioner 5-6 years ago but the petitioner was assaulting  
his wife for non fulfillment of demand of dowry. The informant  
got information about the death of his daughter and went to her in-  
laws' house. The informant saw the dead body of her daughter  
there. Learned counsel for the petitioner submits that the petitioner  
never demanded any dowry nor tortured his wife. The wife was  
always ill and, due to illness, she died. The post-mortem report  
shows no external or internal injury and viscera was preserved, but  
it appears from the case diary that almost all the witnesses have

stated that the wife of the petitioner was ill but the petitioner was not getting her treated by any doctor. The petitioner neglected his wife and, consequently, she died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Kawakola P.S. Case No. 37 of 2015. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the court below shall consider the prayer for regular bail of the petitioner on its own merit.

**(Prabhat Kumar Jha, J)**

Dilip/-

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