

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6813 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -SONBERSA District- SITAMARHI

Subodh Kumar Son of Babujee Mahto Resident of Village -Chandni Chowk, P.s sonbarsa, district Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashhar Mustafa, Advocate

For the Opposite Party : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-03-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Sonbarsa P.S. Case No. 34 of 2015 pending in the Court of CJM, Sitamarhi for the offences instituted under Sections 304(B), 34 of the Indian Penal Code.

As per the prosecution case, it is case of murder of informant's married daughter, namely, Soni Devi by the accused persons due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is the husband of the deceased. Police has submitted final form against the petitioner. From perusal of the case diary, it is evident that number

of witnesses have stated that the deceased had committed suicide and she was mentally ill.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and he is the husband of the deceased, assuming that it is a case under Section 306 IPC still the petitioner is the abettor.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on his behalf.

(Sudhir Singh, J)

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