

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12189 of 2016

Arising Out of PS.Case No. -805 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Shambhu Yadav, Son of Ram Jeevan Yadav, Resident of Maharajghat
Road, Barikhanjarpur, P.S.- Barari, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate
For the S t a t e : Mr. Dilip Kumar(APP)
For the Informant : Mr. Narendra Kr. Choubey, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State. Learned
counsel for the informant is also present.

The petitioner, being the husband, is apprehending
his arrest in connection with Kotwali (Barari) P.S. Case No.805
of 2015 for allegedly having committed the offence under
Section 304B/34 of the Indian Penal Code, which is pending in
the court of the learned Chief Judicial Magistrate, Bhagalpur.

Learned counsel for the petitioner submits that from
the entire material, which has surfaced, it has come to the fore
that the deceased had committed suicide by hanging herself.

Learned counsel appearing on behalf of the informant

submits that the injuries on the person of the deceased show ante-mortem injuries. Furthermore, there was a demand for dowry by the petitioner and his family earlier, which has come in the statement of the informant as well as the re-statement made during the course of investigation. He also submits that earlier the father of the present petitioner had moved this Court in Cr.Misc. No.5997 of 2016, wherein on the false submission made, it has been recorded that the petitioner herein, being the husband, was already in custody. It was on such premises that the father of the present petitioner has been granted the benefit of anticipatory bail.

In view of the facts and circumstance of the case, the false submission made earlier that the petitioner was already in custody and that the matter is of serious nature and also because no U.D. case was registered by the present petitioner with regard to the hanging of his wife, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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