

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38416 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -KHIRHAR District- MADHUBANI

Sudhir Jha Son of Sri Chiranjiv Jha resident of Village- Mangarhatta, p.s
Khirhar, district madhuabani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. A. K. Thakur, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3. 19-02-2016 Heard Mr. A. K. Thakur learned counsel for the
petitioner and Mr. Ram Chandra Singh learned Additional Public
Prosecutor.

The petitioner being the husband of the victim and
facing accusations punishable under Section 304B/34 of the Indian
Penal Code vide Khirhar P.S. Case No. 15/2014 has filed the
present application for grant of anticipatory bail.

The informant being maternal grandfather lodged the
F.I.R. alleging that only three years ago the marriage of the victim
was performed with the petitioner and soon thereafter she was
subjected to torture by the in-laws including the petitioner.

On the relevant date she was done to death in a
mysterious circumstance inside the matrimonial home. The body

was found hanging from the ceiling. The cause of death ascertained by the doctor is asphyxia.

Contention of the counsel appearing on behalf of the petitioner is that in course of investigation the witnesses have cited other family members which subjected victim girl to torture. The petitioner was allegedly staying at different place during the relevant time.

Counsel for the State however, opposed the prayer for bail contending that within three years of marriage the victim was done to death in a very mysterious circumstance while she was at her matrimonial home. The presumption is of having committed the offence against the accused persons.

Considering the facts and circumstances and the seriousness of charge and other materials reflected from the record, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer is rejected. Petitioner shall surrender and seek bail.

(Kishore Kumar Mandal, J.)

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