

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 43028 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -SIMRI District- BUXAR

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Deepak Sah Son of Shri Ram Sah Resident of Village- Keshopur, Police
Station- Simari (Tilak Raj Ka Hata), District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah
Mr. Surendra Kumar Choubey

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 13-12-2016 Heard Sri Rajendra Prasad Sah, learned counsel
assisted by Sri Surendra Kumar Choubey, learned counsel for the
petitioner and Sri Shailendra Kumar, learned Addl. Public
Prosecutor.

The petitioner, husband of the deceased, has prayed
for grant of bail in Simri P.S. Case No. 228 of 2015 registered for
offence under Sections 498(A), 304(B), 201/34 of the Indian Penal
Code.

It was submitted by learned counsel for the petitioner
that wife of the petitioner was not happy with the marriage and she
committed suicide and thereafter, the present case was falsely
instituted, as if it was a case under Section 304(B) of the Indian
Penal Code. Learned counsel for the petitioner tried to persuade



the Court that even during investigation, the mother of the deceased had said that her daughter was not happy with the marriage. On aforesaid ground, a prayer has been made to grant bail.

Sri Shailendra Kumar, learned Addl. Public Prosecutor, opposing the prayer for bail, submits that after the daughter of the informant was done to death, her dead body was disposed of and as such, on the dead body, even *post-mortem* examination could not be conducted.

Keeping in view the fact that petitioner is husband of the deceased and death has occurred within short period of the marriage, there is no reason to grant bail to the petitioner.

The petition stands dismissed.

(Rakesh Kumar, J.)

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