

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28316 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -AAYAR District- BHOJPUR

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1. Kaushal Singh Son of Matukdhari Singh
2. Hiramuni Devi wife of Kaushal Singh
Both are residents of village Ichari, P.S. Ayar, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-08-2016 At the outset, learned counsel for the petitioner seeks permission to withdraw the application in respect of petitioner no. 1, as the petitioner has been taken into custody.

Permission is accorded.

Accordingly the application as against petitioner no. 1 is dismissed being infructuous.

Heard learned counsel for the petitioner, informant and learned counsel appearing on behalf of the State.

The petitioner no.2 apprehends his arrest in connection with Ayar P.S. Case No. 26 of 2016 for the offences registered under Sections 304-B/34 of the Indian Penal Code.

Case dairy of the present case was called for, which has since been received.

After hearing learned counsel for the petitioner and considering the post mortem report, which has surfaced in the case dairy, it appears that the deceased died on account of smothering. It further appears that certain documents have been filed in this case but the same does not inspire confidence. The post mortem report clearly indicates that there were ante-mortem injuries which go to show that not only one but many other had participated in the occurrence. It is also evident from the case dairy that there was good relation between the husband and the wife but other members of the family used to torture the deceased for dowry.

In view of the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner no. 2. It is, accordingly, rejected.

(Anjana Mishra, J)

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