

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53263 of 2016

Arising Out of PS.Case No. -242 Year- 2008 Thana -BARH District- PATNA

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Hari Kishore Prasad Singh, Son of Narendra Singh, Resident of Village-
Paston Nabtoli, P.S.- Andhrathadi, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with Barh
P.S. Case No.242 of 2008/G.R. No.1082 of 2008 registered under
Sections 304-B of the Indian Penal Code, pending in the court of the
Additional Chief Judicial Magistrate, Barh, Patna.

The accusation is of killing the deceased, the daughter of the
informant, by her husband (petitioner) and in-laws for non fulfillment
of the dowry demand

Learned counsel appearing on behalf of the petitioner submits
that, admittedly, the petitioner is the husband of the deceased but at the
time of occurrence, he was at Delhi and this fact has come during the
course of investigation. Further submission is that, on investigation, the



police submitted final form against the petitioner but the learned court below took the cognizance of the offence against the petitioner differing with the findings of the Investigating Officer. It is further submitted that in the post-mortem report of the deceased, no external injury was found on her person and the viscera of her dead body was kept preserved for chemical examination.

Admittedly, the deceased died within seven years of her marriage.

It appears from the order dated 07.09.2016 passed in A.B.P. No.4303 of 2016 that the Sessions Judge, Patna, refused the prayer for anticipatory bail of the petitioner taking into consideration that earlier such prayer of the petitioner has already been rejected but concealing this fact, the petitioner has again filed a petition for grant of anticipatory bail.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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