

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37638 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -RAMGARH District- BHABHUA (KAIMUR)

1. Hazari Ram son of Tufani Ram
2. Jhanu @ Baliram Ram son of Premchand Ram
3. Gandu Ram @ Guddu Ram son of Premchand Ram
All residents of village Sijhua, P.S.- Ramgarh, District- Kaimur.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Deo

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

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 03-10-2016 Heard the Counsel for the petitioners and the APP
for the State.

Petitioners are named accused of Ramgarh P.S. Case
No. 103 of 2016 registered under Sections 304B and 201/34 of
the Indian Penal Code.

The father of the victim has lodged a case alleging
that his daughter was having affairs with the son of the petitioner
no. 1 and nephew of petitioner nos. 2 and 3. When the informant
requested the petitioner no. 1 for marriage, the same was deferred
on the ground that elder son is to be married. On the date of
occurrence, it is alleged that the daughter was called in by his
lover and thereafter she was taken to the house of the accused
persons whereafter the petitioner no. 1 is said to have informed

that his daughter is dead having consumed poison.

Contention of the petitioners is that as the marriage had not solemnized, Section 304B of the Indian Penal Code would not be attracted. Only on the basis of suspicion, the allegation has been levelled.

Learned APP for the State opposed the prayer and contended that it is further the allegation that they were demanding dowry for the marriage and on the date of occurrence, she was called in and taken to the house where she was ultimately done to death in a mysterious circumstances.

Considering the nature of the allegation and other materials available on record including the order of the learned Sessions Judge, I am not satisfied that a case of anticipatory bail is made out. Prayer is rejected.

(Kishore Kumar Mandal, J)

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