

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57550 of 2015

Arising out of PS.Case No. -52 Year- 2015 Thana -KALYANPUR District- SAMASTIPUR

Jasveer Mahto, S/o Nandu Mahto @ Anandu Mahto, resident of Village Jhahuri, P.S Kalyanpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Indu Kumari Srivastava (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 52 of 2015 for the offences instituted under Sections 341, 342, 323, 304(B), 504/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the daughter of the informant was married with this petitioner six months ago. After marriage, the FIR named accused persons used to demand dowry and they threatened if the demand is not fulfilled they will kill the daughter. On 13.04.2015 the informant received information that his daughter was killed by the accused persons. Thereafter he reached at the house of the informant and found dead his daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. The deceased herself had committed suicide hence, no offence under Section 304(B) IPC can be made out against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Kalyanpur P.S. Case No. 52/2015, pending in the court of the learned C.J.M., Samastipur. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)