

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27628 of 2016

Arising Out of PS.Case No. -587 Year- 2015 Thana -NAUBATPUR District- PATNA

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Vijay Prasad @ Vijay Kumar, Son of Kedar Sao, resident of Village-
Naubatpur, Station- Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amrendra Kumar No. 1

For the Opposite Party/s : Mr. Sri Mujtabaul Haque

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 20-12-2016 Heard Dr. Amrendra Kumar No. 1 , learned counsel for
the petitioner and learned Additional Public Prosecutor .

The petitioner , apprehending his arrest in Naubatpur
P.S. Case No. 587 of 2015 registered for the offence under section
498(A), 323, 326, 304(B)/ 34 of the Indian Penal Code and
Section 3 and 4 of the Dowry Prohibition Act has prayed for
grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that petitioner is not having any relation with the husband of the
deceased and as such , there is no question of applicability of
Section 498(A) , 304(B) of the Indian Penal Code. He submits
that it has incorrectly been alleged that petitioner was demanding
Rs. 700000 /- as dowry . He further submits that deceased was



carried by the petitioner to the hospital , where she died. On this very ground a prayer has been made for grant of anticipatory bail.

Besides hearing, I have perused the material available on record. In this case earlier case diary was called for which has been received . On perusal of the case diary it is evident that the husband of the deceased was treated as adopted son of the petitioner . This allegation has been corroborated in the case diary.

In view of the facts and circumstances particularly the fact that it is a case of dowry death there is no question for grant of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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