

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36425 of 2016

Arising Out of PS.Case No. -312 Year- 2013 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Chandan Kumar @ Chandan Kumar Singh S/o Late Shesh Narain Singh
Resident of Village- Panapur Langa Garh Par P.S.- Sadar Hajipur, Dist.-
Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Sri Ajay Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 328, 304B and 120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and killing the daughter of the informant by administering poison after five years of the marriage for non-fulfillment of the dowry demand.

It is submitted by the learned counsel for the petitioner that the accusation has been levelled only on suspicion. The informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below. The

postmortem report reflects no resisting injury and viscera has preserved.

Considering the fact that the victim died within five years of the marriage and the case was registered in the year 2013 when the present anticipatory bail application has been preferred in the year 2016, this Court is not inclined to grant anticipatory bail application to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Hajipur Sadar P.S. Case No. 312 of 2013 pending in the court of learned CJM, Vaishali at Hajipur without being prejudiced by the order of this court keeping in view of the fact that postmortem report does not reflect any resisting injury,

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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