

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2212 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -CHAKAMHESI District- SAMASTIPUR

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Bhartendu Kumar Mehta @ Bhartendu Kumar, S/o Hare Krishna Mehta,
R/o village - Malinagar, P.S. Chakmehsi, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-02-2017 Heard learned counsel for the petitioner and State.

The petitioner seeks bail in Chakmehsi P.S. Case No.
14/16 instituted under sections 304B, 201/34 of Indian Penal
Code.

Petitioner is husband of the deceased. There is
specific allegation against this petitioner that after performing
marriage with the daughter of the informant on 4.6.2016, he and
his family members used to commit torture with her for demand
of motorcycle etc. The daughter of the informant told all the
incidents to the informant on telephone. The informant tried to
console his daughter and told that he will come in Holi but on
25.2.2016 he came to know that his daughter is serious and later
on it was learnt that his daughter has been done to death and, her



dead body has been disposed off.

Counsel for the informant submitted that neither any post-mortem was performed nor any information was given to the family members of the deceased before cremation of the victim girl (since deceased).

Learned A.P.P. has submitted that witnesses have stated in paras 3,4 and 12 of the case diary about torture and altercation done by the petitioner with the deceased. The informant refers to para 3 and submits that other witnesses in paras 5, 6 and 12 have supported the prosecution case to the effect that the dead body was found hanging in a room, which was brought down. Witnesses in paras 60-61 have stated that relatives of the victim had also arrived on the date of occurrence. But even these witnesses in paras 60-61 have not stated that family members of the deceased have participated in cremation of the deceased.

Petitioner is husband of the deceased and death has occurred within 7-8 months of the marriage in the Sasural itself by hanging which is unnatural. There is specific allegation that this petitioner used to commit torture for demand of dowry.

In view of aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail is rejected. However, the petitioner would be at liberty to



renew his prayer for bail after nine months, if no substantive progress is made in the trial.

(Sanjay Priya, J)

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