

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20617 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -MEHANDIA District- JEHANABAD

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1. Brajesh Kumar Son of Basudeo Singh Resident of Village- Lodipur PS
Mahendia, District Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar

For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 10-01-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is the husband and is apprehending his arrest
in connection with Mehendia P.S. Case No. 106 of 2015 registered
for the offences punishable under Sections 304B/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the uncle of
the deceased lady is the informant in the present case whereas the
father has come into the picture much later. It is further submitted
that the father has given an affidavit stating that the girl died of
natural fire and not otherwise. Learned counsel for the petitioner
further submits that they had informed the father of the deceased
lady and only after coming to the Patna Medical College and
Hospital, they have turned around and filed the present case.



Diary in this case was called for earlier, which has, since been received.

After hearing learned counsel for the State and on perusal of the case diary, it appears that there is much evidence in the case diary to indicate that the girl was being tortured for dowry and also for the reason that very recently the younger sister and younger brother of the deceased lady had got married and there had been exchange of much dowry in the said two marriages resulting in further demands by the present petitioner who had since started torturing the girl and demanding further dowry.

In view of the material which has surfaced in the case diary and also because the petitioner is the husband and he is morally bound to protect the victim lady, I am not inclined to grant anticipatory bail to this petitioner. It is accordingly rejected.

(Anjana Mishra, J)

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