

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1783 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -DIGHA District- PATNA

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1. Abhishek Anand @ Abhishek Kumar Anand, son of Surendra Prasad Sinha @ Surendra Prasad Yadav, resident of Mohalla- Shivajee Nagar, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vishwanath Singh, Sr. Advocate with Ms. Bela Singh, Advocate
For the State	:	Smt. Sharda Kumari
For the Informant	:	Mr. Rudal Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 18-03-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Digha P.S. Case No.230 of 2016 instituted for the offence under Section(s) 304-B, 498-A, 120-B/34 Indian Penal Code pending in the Court of the Judicial Magistrate, 1st class, Patna.

Petitioner is husband of the deceased. As per the allegation, daughter of the informant was married with this petitioner on 14.02.2016 and on 11.09.2016 the informant received information on his mobile phone that his daughter has committed suicide. The informant went to her *Sasural* and found dead body of his daughter hanging from fan and it appeared that



attempt was made to show murder as suicide. It is alleged that this petitioner and his family members used to commit torture with daughter of the informant for ends of dowry. It is further alleged that accused persons were keeping some other girls in the house and they also used to commit torture with daughter of the informant.

Case diary has been received.

The learned APP has pointed out that various viscerae have been preserved and the doctor has not given any opinion with regard to cause of death in the Post Mortem Examination Report. The witnesses in their statement before the police has stated about commission of torture by this petitioner with the daughter of the informant.

It has been submitted on behalf of the petitioner that he was not present in the house at the time of occurrence. He came from Nagpur to attend last rites of the deceased.

The admitted fact, as is appearing from para 3 of the petition, is that earlier also case of similar nature for the offence under Section(s) 498-A/34, 304-B Indian Penal Code was registered against the petitioner for committing murder of his earlier wife. It also appears from the First Information Report that death of the deceased took place in her *Sasural* after six months



of marriage and the death was not natural death.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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