

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30159 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Ramesh Kumar @ Tutu @ Tutu Kumar, S/o Sri Chandrika Singh,
Resident of Village- Chainpura, P.S. Naubatpur, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 21-08-2017

Heard both sides.

The petitioner apprehends his arrest in Naubatpur
P.S. case No. 86 of 2017 for the offences punishable under Section
304B/34 of the Indian Penal Code.

The informant alleged that his sister was married to
Niraj Kumar in the month of April, 2016 but the accused persons
were torturing his sister immediately after marriage. The
informant further alleged that on 27.03.2017 Ram Pravesh Singh
informed him on telephone to come to his house and he saw that
his sister was lying dead on her bed. The informant alleged that
Niraj Kumar, Ram Pravesh Singh, Radha Devi, Sanju Devi, Manju
Devi and Tutu Kumar, the petitioner, killed his sister.

The learned counsel for the petitioner submits that



petitioner is, of course, named in the FIR but he is living separately from the husband of the deceased. Sanju Devi and Manju Devi, sisters-in-law of the deceased, have been granted anticipatory bail vide order passed in Cr. Misc. No. 30185 of 2017. The case of the petitioner stands on the same footing but from perusal of the records and the case diary, it appears that the deceased was married with Niraj Kumar in the month of April, 2016 itself and she was killed on 27.03.2017 within 11 months of her marriage. It has come during the course of investigation that Niraj Kumar divorced his wife ex parte and solemnized second marriage with the deceased. The petitioner is very well named in the FIR and deceased was killed within a year of her marriage.

Considering the nature of allegation made against the petitioner and the fact that deceased was killed in her in-laws house within 11 months of her marriage, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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