

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46790 of 2016

Arising Out of PS.Case No. -63 Year- 2014 Thana -MAIRWA District- SIWAN

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Vijay @ Bijay @ Bijay Patel, S/O- Acchaibar Patel, Resident of Village-
Narahiya, P.S.- Mairwa, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhakar Singh, Advocate.

For the Opposite Party : Mr. Manoj Kumar – 1, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-01-2017 Heard both sides.

The petitioner apprehends his arrest in Mairwa P.S.
Case No. 63 of 2014 registered for the offences punishable under
Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant alleged that his daughter was married to
the petitioner in the year 2010, but her husband and others were
demanding Bolero Jeep. On 15.03.2014, his daughter called him
on telephone and requested him to give Bolero Jeep and she
disclosed that her husband and other in-laws were torturing her
and her husband was intending to marry with another girl. It is
further alleged that on 22.03.2014, his daughter was killed and her
dead body was hurriedly cremated.

Learned counsel for the petitioner submits that the



petitioner is, of course, husband of the deceased but the petitioner never demanded any dowry nor tortured his wife. During course of investigation, almost all the witnesses have stated that the wife of the petitioner had gone by the side of the railway track to attend call of nature and dashed by the train and died. The informant participated in cremation, but it appears that neither any complain was made by the railway about any accident nor post-mortem was held on the dead body of the deceased and the dead body was hurriedly cremated. There is specific allegation that the petitioner was torturing his wife due to non-fulfillment of demand of dowry.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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