

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49684 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -SIRDALA District- NAWADA

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1. Jitendra Chauhan @ Chhotu Chauhan son of Late Ram Swarup Chauhan
resident of Village-Rabio Beldari, P.S.-Sirdalla and Distt.-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mahavir Chauhan son of Late Bhojal Chauhan resident of village-Jogi
Bigha, P.S.-Dhamaul O.P., Ditriect-Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma
For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The application is for grant of anticipatory bail for the

offence under Sections 304/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the

petitioner is husband and as a matter of fact, the deceased died

due to illness and she informed to the informant and others also.

It has further been submitted that even the cause of death does

not appear from the impugned order or from the FIR. Further, it

has been submitted that the informant has himself filed

application before the learned Sessions Judge that the case has



been filed due to misconception and the deceased died due to fever.

Heard learned A.P.P. also.

From perusal of the impugned order, it appears that inquest report shows that the death of the deceased was due to poison and there is allegation of demand of dowry also.

In view of the facts as stated above, I am not inclined to grant anticipatory bail to the petitioner, let the petitioner surrender and make prayer for regular bail before the court below, which will be considered on the basis of materials available on the record and also considering the postmortem report of the deceased.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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