IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19527 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -JHAJHA District- JAMUI

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Gopal Saw @ Gopal Sah, S/o Ram Prasad Saw @ Ram Prasad Sah, Resident of Village- Dario, P.S.- Jhajha, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Sri Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 498A, 304B, 201 and 34 of the Indian Penal Code.

Petitioner is the husband of the deceased. There is allegation of dowry death and the dead body has been thrown in the Dam.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that daughter of the petitioner is aged about 10 years, as such, no case is made out under Section 304 B of the IPC. There is general and omnibus allegation against the petitioner. It is further submitted that the deceased was mentally not sound. As such, she might have committed suicide.

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Heard learned A.P.P. also. He has opposed the prayer for anticipatory bail.

Having heard both sides and in view of the fact that petitioner is husband and there is allegation of throwing the dead body in the Dam, I am not inclined to grant anticipatory bail to the petitioner.

However, petitioner may surrender within a period of four weeks in the court below at Jamui in connection with Jhajha P. S. Case no. 81 of 2016, G. R. no. 764 of 2016 and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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