

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41912 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Abhiranjan @ Abhiranjan Singh, Son of Satendra Singh, Resident of
Village- Panaput Shapur, P.S.- Mahnar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
09.05.2017 in connection with Mahnar P.S. Case No. 94 of 2017
for offences punishable under Sections 304(B)/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Priyanka Kumari was married to the petitioner in
the year 2012 on the pretext that he was the Second Officer in
Merchant Navy and earned Rs. 1,20,000/- per month. But the
petitioner returned home at his village after four months of
marriage and did not go back. In the mean time, in 2014 a
daughter was born to the petitioner and the deceased, and the



deceased was subjected to torture for fulfilling demand Rs. 20-25 thousand per month or Rs. 10,000,00/- for starting the business from her maik. Earlier also the deceased was subjected to torture for which a Sanha was lodged bearing Application No. 680 of 2015 before the learned Chief Judicial Magistrate, Sitamarhi which is a part of the F.I.R. Ultimately for non-fulfillment of demand of dowry, she has been killed.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. In fact it was a case of suicide as at the place of occurrence it was found that the room was shut from inside and that the deceased suffered from depression and had committed suicide. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel for the informant submits that the deceased was subjected to torture by the petitioner and other in-laws for non-fulfillment of demand of dowry and even the marriage was under a false pretext that the petitioner was serving in the Merchant Navy and that an application was filed two years back before the C.J.M. Sitamarhi of the alleged occurrence of torture by the petitioner and other in-laws of the deceased.



Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Mahnar P.S. Case No.94 of 2017 pending in the court of learned Additional Chief Judicial Magistrate-VI, Vaishali at Hajipur.

The application is, accordingly, rejected. However, the petitioner may renew his prayer for bail after framing of charge.

It is also directed that the learned court below would expedite the trial on day to day basis.

(Nilu Agrawal, J)

Devendra/-

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