

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30798 of 2017

Arising Out of PS.Case No. -87 Year- 2015 Thana -BISFI (PATAUNA) District- MADHUBANI

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Arun Chaupal, Son of Mahendra Choupal, Resident of Village- Nahas
Rupauli, P.S.- Bisfi (Parsauni), District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shyam Das, Son of Sohan Das, Resident of Village- Shisho, Tola
Chanpur, P.S.- Sadar Mabbi (O.P.), District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 19-08-2017 Heard learned counsels for the petitioner, informant
and the State.

The petitioner being the husband of the daughter of
the informant is apprehending arrest in a case registered for the
offences punishable under Sections 498A,304B and 120B of the
Indian Penal Code.

The prosecution case is that the daughter of the
informant namely, Babita Devi, got married with the petitioner
on 07.03.2014, but thereafter, she was being tortured for non-
fulfillment of dowry demand. On 10.02.2015 at 5.00 PM,
someone informed the informant that his daughter has been
killed. Thereafter, the informant went to the matrimonial house



of her daughter, where the accused persons conveyed him that the victim died due to electrocution. Subsequently, police came and took the dead body of the victim to Sadar Hospital for post-mortem.

It is submitted by learned Counsel for the petitioner that initially an UD case was registered being Patauna P.S. U.D. Case No. 01 of 2015, treating it as a case of electrocution, but subsequently, Complaint Case No. 302/2015 was filed on 21.03.2015, by Shyam Das, the father of the victim when he came to know that his daughter has been killed. The complaint case came to be registered as Bisfi (Patauna) P.S. Case No.87 of 2015 on 14.04.2015 under Sections 498A, 304B, and 120B of the Indian Penal Code.

It is submitted by learned Counsel appearing on behalf of the informant that UD case was registered on the information given by the petitioner's family. Moreover, the post-mortem report corroborates the accusation that the victim died due to strangulation. Moreover, the anticipatory bail application of the other family members of the petitioner has been rejected by a co-ordinate Bench of this Court, vide order dated 16.11.2016, passed in Criminal Miscellaneous No.22770/2016.



Considering the nature of accusation, this Court is not inclined to consider the prayer for anticipatory bail of the petitioner. Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Bisfi (Patauna) P.S. Case No.87 of 2015, pending before the learned Judicial Magistrate, 1st Class, Benipatti, Madhubani.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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