

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61103 of 2017

Arising Out of PS. Case No.-10 Year-2011 Thana- CHAKAI District- Jamui

Sanjay Yadav Son of Kauleshwar Yadav resident of Village- Ramthadih,
Police Station- Chakai, District Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Murlidhar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-02-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Chakai P.S. case no. 10 of
2011 instituted for the offence under Section(s) 498A and 304B/34
of the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

Petitioner is the husband of the deceased. In the written
report, it is alleged that after marriage of the sister of the informant,
this petitioner and other in-laws always ill- treated her for demand
of dowry. The informant received information on 12.01.2011 that his
sister has been done to death in *Sasural* after assaulting her. He went
to the house of his sister and found that all the family members
including the petitioner had fled away. The informant found the dead
body of his sister lying on a cot and daughter of deceased was
weeping and informed that her mother has been killed by her father



and other in-laws by assaulting with bricks and fists.

Learned counsel for the petitioner submits that police after investigation submitted the final form in this case. Learned Magistrate took cognizance in the case on the basis of materials in the case dairy. It has further been submitted that in the postmortem report doctor has not mentioned about the cause of death. The Sessions Judge has mentioned in the impugned order that from postmortem report it transpires that the injuries have been found on the person of the deceased. In such circumstances, from the written report itself, it is apparent that the six years old daughter of the deceased informed the informant that her mother has been killed by his father (petitioner) and other accused persons.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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