

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49616 of 2017

Arising Out of PS. Case No.-786 Year-2016 Thana- AHIAPUR District- Muzaffarpur

Saurav Kumar Mishra @ Kumar Saurav S/o Amod Kumar Mishra @ Amod Mishra, resident of Village- Swami Nagar, Purana Motihari Marg, Mohalla-Kolhua Paigamberpur, Bairia, Police Station- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. SRI NAND KUMAR

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Ahiyapur (Muzaffarpur) P.S. Case No. 786 of 2016 instituted for the offence under section 304(B) of the Indian Penal Code.

It is alleged in the written report filed by the sister of the deceased that her sister (since deceased) Rinki Mishra was married with the petitioner on 10.12.2016 and from the wedlock one son was also born who is aged about two years. It is alleged that on 09.12.2016 in the night at about 10-11 A.M., the sister of informant informed her mother on phone that her Sasural people will not allow her to live in Sasural. It is further alleged that in the morning the husband of the sister of the informant (since deceased) informed that Rinki Mishra had died. The



informant went to the Sasural of her sister and found her lying dead on the bed.

The case diary has been received and from the post mortem report it appears that the deceased died due to asphyxia as a result of pressure on the neck.

The counsel for the petitioner submitted that the victim was suffering from schizophrenia and probably she might have committed suicide. But as per the post mortem report, specific allegation is that, the victim died unnatural death in her Sasural due to asphyxia as a result of pressure on the neck. Petitioner is husband of the deceased.

Considering the facts and circumstances of the case, the prayer for grant of anticipatory bail is rejected. The petitioner may surrender and pray for regular bail in the court below which shall be disposed of by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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