

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43091 of 2018

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Ravi Ranjan @ Ravi Ranjan Yadav son of Rupu Yadav, resident of village-
Kasiyadih, P.S.- Amas, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar, Advocate

For the State : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Amas P.S. Case No.138 of 2017 registered under Sections 147,
304B and 201 of the Indian Penal Code.

It is submitted by the learned counsel for petitioner that
in the first information report itself the informant has stated that
his daughter was married to the petitioner in the 2009 and she was
done to death on 16.07.2017 and in that view of the matter,
ingredients of the offence under Section 304B of the Indian Penal
Code are not attracted. He submitted that the victim committed
suicide and only after informing the parents of the victim, her dead
body was cremated.



Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. He submitted that in view of the fact that the marriage had taken place more than seven years ago, the offence would not be attracted under Section 304B of the Indian Penal Code, but since the allegation is that the victim was strangled to death, the offence would certainly come within the purview of Section 302 of the Indian Penal Code. He submitted that the petitioner being husband of the deceased ought to have informed the police even if it was a case of suicide, but he failed to do so. He cannot take a plea that it was not a homicidal death but was a suicidal death.

Having heard learned counsel for the parties and perused the first information report, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his application for grant of pre-arrest bail is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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