

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1520 of 2018

Arising Out of PS.Case No. -25 Year- 2017 Thana -AURAI District- MUZAFFARPUR

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1. Jharokha Devi, W/o Raj Kumar Singh, resident of Village and P.S.- Aurai,
District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Manoj, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 09-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 16.03.2018 by the learned 10th Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur in connection with Aurai P.S.Case No. 25 of 2017, G.R.No.638 of 2017 registered under Sections 304B and 34 of the Indian Penal Code, later on Sections 3(2)(V)a of the Scheduled Castes and Scheduled Tribes Act was added.

According to FIR, the daughter of the informant was throttled to death in the house of the appellant for reason that she had entered into an inter caste marriage or for the reason that there was non-fulfillment of demand of dowry. The Doctor



has found, ligature mark and fracture of trachea, at the time of postmortem examination.

Submission is that there is no direct evidence. Only suspicion is there against the appellant.

Considering the entire facts of this case, in my view, this is not a fit case for grant of anticipatory bail. Hence, this appeal against refusal of the prayer for anticipatory bail has got no merit.

The appellant may surrender and pray for regular bail within three weeks.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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