

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2421 of 2018

Arising Out of PS. Case No.-544 Year-2017 Thana- MADHEPURA District- Madhepura

Rajesh Kumar @ Chicho Swarnkar, Son of Ramcharitra Swarnkar, resident of Village- Bhatrandha, Police Station- Madhepura (Parmanandpur O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Madhepura (Parmanandpur O.P.) P.S. case no. 544/2017 instituted for the offence under Section(s) 302, 201 and 120B/34 of the Indian Penal Code.

Petitioner is the husband of the deceased. There is allegation in the written report that elder daughter of the informant was married with this petitioner about six years back. Petitioner made demand of Rs. one lac and a motorcycle after one year of the marriage and for non fulfillment of the dowry demand the daughter of the informant was subjected to cruelty by this petitioner and his other family members. It is



further alleged that in the evening of Monday informant was informed on mobile by petitioner that his daughter had consumed poison and she had been admitted in Hospital. But, in the night on the same day he was informed by one of the neighbor of the sasural of his daughter that his daughter had died. The informant reached the sasural of his daughter where he found all the accused persons including the petitioner were absconding. The dead body has been made to disappear by the accused persons after committing her murder.

Case diary has been received.

Learned APP for the State after perusing the case diary has submitted that in para 7 of the case diary it has come that the dead body has been hurriedly burnt after her death. In paragraph nos. 21, 22 and 23 of the case diary independent witnesses have also supported that the victim girl was tortured by the petitioner for dowry demand and on account of which the victim girl has consumed poison and after her treatment in the hospital she died and her dead body was burnt hurriedly.

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 off on its own merit in accordance with law without
being prejudiced by the present order

(Sanjay Priya, J)

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