

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15496 of 2018

Arising Out of PS.Case No. -168 Year- 2017 Thana -SURSAND District- SITAMARHI

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1. Arun Sah S/o Ganesh Sah, R/o Village- Piprarhi, P.S.- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kaushalaya Devi W/o Budhu Sah, R/o Village +Post- Khairwa, P.S.- Bela, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-06-2018 The petitioner is apprehending his arrest in connection with Sursand P.S. Case No. 168 of 2017, registered for offences punishable under Sections 304(B)/201/34 of the Indian Penal Code.

Petitioner is husband of the deceased and allegation is of committing dowry death of the deceased.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and in fact at the time of occurrence he was not present at the home rather he was at Delhi in connection with earning his livelihood, which will appear from the fact that witnesses have also stated that the petitioner was not present at home at the time of occurrence. Moreover, the



informant himself has conceded the fact that he has filed this case on mistaken facts. It has also been submitted that the deceased was an educated lady and he was not adjusting with the petitioner and due to which in frustration, she committed suicide.

Learned counsel for the State opposed the prayer for bail and submitted that the deceased died within seven years of her marriage and in unnatural circumstances and petitioner being husband of the deceased has to explain the cause of death and further the dead body of the deceased was disposed of without information to the informant and his family members.

Having heard both sides, considering the facts and circumstances of the case as well as the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner, this application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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