

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12673 of 2018

Arising Out of PS.Case No. -213 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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Adesh Mandal, S/o Kari Mandal, R/o village- Rahua Paschimi , P.S.-
Warishnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 08-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Warisnagar P.S.**

Case No. 213 of 2017 instituted for the offence under Sections 304(B),
302 and 34 of the Indian Penal Code.

It is alleged in the written report that his daughter was married with this petitioner. She was tortured by the petitioner and his family members for demand of Rs.1,00,000/- cash. On receiving such complaint from his daughter, the informant went to her matrimonial home and pacified the matter. It is further alleged that petitioner again started torturing his daughter, for which, Panchayti was held, but petitioner and his family members did not change their behaviour. The informant got information on 25.9.2017 that his daughter has been poisoned to death in her Sasural. Thereafter, he went to her Sasural and found his daughter dead.

Learned counsel for the petitioner has submitted that the



marriage of the petitioner with daughter of informant Nilam Devi has taken place about ten years back.

Learned Sessions Judge has mentioned in the impugned order about post mortem report wherein it is mentioned that various viscera have been preserved and cause of death was kept reserved. The police after investigation found the case true under Section 306 of the Indian Penal Code.

In this manner, this Court finds that death of the deceased occurred in her *Sasural*. From post mortem report it appears that death was unnatural and various viscera have been kept reserved.

In such circumstances, 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 by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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