

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31372 of 2018

Arising Out of PS.Case No. -444 Year- 2017 Thana -HARSIDHI District- EASTCHAMPARAN
(MOTIHARI)

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Umesh Sah, S/o Bachcha Sah, R/o Vill.- Hasuahan Tola Lalganj, P.S.-
Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-08-2018

Heard learned counsel for the petitioner and the State.

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

Case No. 444 of 2017 instituted for the offence under Sections
304(B), 201 and 34 of the Indian Penal Code.

It is alleged in the written report that sister of the informant was first time married with Pintu Sah who after birth of a son died. Thereafter, the informant's sister was married with petitioner and she came to the newly matrimonial house where she gave birth to a daughter from her second marriage. Thereafter, this petitioner along with other co-accused persons as named in the First Information Report began to demand Motorcycle and Buffalo and on non-fulfillment of said demand, they started committing torture with sister of the informant. The sister of the



informant on 30.10.2017 told the informant on telephone about torture committed by the petitioner. Thereafter, two unknown persons came at the house of the informant and informed that his sister was strangled to death and her dead body has been made to disappear. The informant went to *sasural* of his sister and enquired about her but he did not find any clue. The petitioner along with other accused persons had fled away.

Counsel for the petitioner has submitted that allegation of dowry death is totally false because no dead body has been recovered. It has further been submitted that victim lady was mentally disturbed and she left the house without informing anyone and she did not return. The sister of the informant is still alive.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that witnesses have supported the case of prosecution. There is no material in case diary that sister of informant is still alive. He has further submitted that there is no mention in the case diary about recovery of dead body of sister of the informant.

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.

(Sanjay Priya, J)

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