

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6442 of 2020

Arising Out of PS Case No.-203 Year-2019 Thana- NAUTAN District- Siwan

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Gyaneshwar Pal @ Gaunehwar Pal @ Munna Pal, aged about 25 years,
Gender-Male, Son of Ramayan Pal @ Ramayan Bhediha Paal, Resident of
Village- Bhagwanpur, P.S.- Nautan, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate
For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Nautan PS Case No. 203 of 2019 dated 17.11.2019 instituted
under Section 304B of the Indian Penal Code.

3. The petitioner is accused of killing his wife who was
married six months prior to the date of incident.

4. Learned counsel for the petitioner submitted that the
FIR has been lodged after the cremation and after postmortem
being performed. It was submitted that the petitioner was the
husband and though ligature mark has been found on the neck of



the deceased, but it was a case of suicide for which the petitioner was not responsible.

5. Learned APP submitted that death having occurred six months after marriage in the matrimonial home from where the body was recovered and the petitioner being the sole person who was present in the house and also being the husband and him not having informed the police, cannot be said to be *bona fide* and, thus, he is responsible for such occurrence, moreso, when cause of death is strangulation.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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