

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31069 of 2020

Arising Out of PS. Case No.-13 Year-2019 Thana- KOTHIGRAM District- Gaya

ANUJ SAO Son of Hari Sao Resident of Village - Bharbigha, P.S.- Kothi,
District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar, Adv.

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-01-2021 Heard both sides.

The petitioner seeks bail in Kothi P.S. Case No.13 of 2019 registered under Sections 302 and 34 of the Indian Penal Code.

The informant, father of the deceased, alleged that his daughter was married with the petitioner in the year 2011 and his daughter got two children but her husband was always torturing her. Ten days prior to the occurrence, the petitioner assaulted his wife, the daughter of the informant, and caused fracture in the hand of his wife. The informant got information that his daughter was killed by her husband only because his daughter was objecting the illicit relation of her husband with his sister-in-law.

The learned counsel for the petitioner submits that



marriage was solemnised in the year 2011. This is the first instance on which the informant made the allegation of torture. In fact, the wife of the petitioner committed suicide. The post-mortem report shows V-shape injury on her neck. The V-shape injury cannot be caused on being strangled. Strangulation always caused by Circular shape injury but it appears from the post-mortem report that doctor opined the cause of death due to asphyxia on account of hanging. The petitioner is the husband and there is specific allegation against the petitioner that he killed his wife only because his wife was objecting the illicit relation of the petitioner with his sister-in-law.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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