

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43109 of 2021**

Arising Out of PS. Case No.-144 Year-2021 Thana- LAXMIPUR District- Jamui

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SANOJ TANTI SON OF PRAMESHWAR TANTI R/O VILLAGE-
GOTAJOR, P.S.- LAXMIPUR, DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Laxmipur PS Case No. 144 of 2021 registered under Section
304(B) of the IPC.

As per the First Information Report the petitioner
informed his father-in-law i.e. the informant that his daughter
has consumed poison and she was being taken to hospital by her
husband. It has further been stated that on 05.05.2021 while the
deceased was being taken to Jamui for treatment she died on
way.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and there is no
allegation of demand of dowry and torture against the petitioner.
He further submits that during the course of investigation it



appears that the witnesses have said that deceased died in her parental home. The petitioner is in custody since 07/05/2021 and charge sheet has already been submitted.

On the other hand, learned counsel for the State referring to the case diary submits that within 07 years of marriage informant's daughter has died in her matrimonial home in unnatural condition and dead body has been recovered and inquest report has been prepared from the house of the petitioner. He further submits that during the course of investigation several witnesses have said that petitioner used to torture the deceased for dowry and doctor has opined the cause of death other than due to poison and in the post mortem report the doctor has mentioned that there was fracture of neck bone C3, C4 & C5, neck move freely from left to right and right to left and no any smell or froth was present in the mouth. The cause of death has been opined by the doctor due to fracture of neck bone and hard compression of neck and blockage of air way route. Accordingly submission is that dead body was recovered from the house of the petitioner, who happens to be the husband of the deceased and it appears that after death the petitioner in order to create false defense informed his father-in-law that she died after consuming poison but from perusal of the



post mortem report it appears that she has died due to fracture of neck bone.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record and the circumstances involved in this case, the doctor's report, the fact that dead body has been recovered from the house of the petitioner and the petitioner is the husband of the deceased, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail is rejected.

(Anil Kumar Sinha, J)

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