

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53910 of 2022

Arising Out of PS. Case No.-49 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

AMAN PODDAR S/o Jhawar Poddar R/o village- Pyalapur, P.S.- Pirpaiti,
District- Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Piri Bazar P.S. Case No. 49 of 2021 under section 306/34
of the Indian Penal Code.

As per the prosecution story, the informant alleged
that his daughter was married to the petitioner but was being
tortured and always the petitioner used to threaten that he will
soleminize the second marriage.

Fed up with the said threat, she committed suicide
at her parents house.

Learned counsel for the petitioner submits that no
such allegation was made earlier and out of the wedlock two
daughters were born and as she committed suicide at her



parents house, this theory has been flouted to implicate the petitioner/family members.

The learned APP submits that though it is a suicide, as per the FIR, the petitioner abetted the same by threatening of solemnization of the second marriage .

Considering the fact that although it is a fact that the lady committed suicide at her parents house where she was residing for the last two months, the informant alleged as also observed of the learned Sessions Judge that he used to threaten of solemnizing the second marriage and in that backdrop, so far as the prayer for anticipatory bail is concerned, this Court does not deem it fit and proper to extend him relief, he being the husband, and the prayer for anticipatory bail is rejected.

If the petitioner surrenders within four weeks from today and prays for bail, the Court concerned shall take into account all the aforesaid facts that the lady was residing at her parents house for the last two months and prior to the present FIR, there was no such allegation of dowry or torture and dispose it of preferably on the same day.

(Rajiv Roy, J)

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