

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9836 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Pintu Mistry son of Janardan Mistry Resident of village Akbarpur, P.S. Asthawan, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jagdish Mistry son of Late Raghu Mistry Resident of village Ramnagar, P.S. Barbigha, Dist. Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra
For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 23-06-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner being husband of the deceased apprehends his arrest in connection with Asthwan Police Station Case No. 46 of 2014 registered for the offences punishable under Sections 304B/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Learned counsel for the petitioner points out that at the time of alleged occurrence, petitioner was not at his home which is evident from perusal of para 28 of the case diary. It is further contended by him that after institution of this case the informant

came to know about the real fact and thereafter he filed an affidavit before the court below.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to grant privilege of anticipatory bail to the petitioner, accordingly, his prayer for anticipatory bail in connection with Asthwan Police Station Case No. 46 of 2014, pending in the court of Chief Judicial Magistrate, Nalanda at Biharsharif stands rejected.

(Hemant Kumar Srivastava, J)

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