

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30680 of 2013**

Arising Out of PS.Case No. -130 Year- 2011 Thana -PHULWARIA District- GOPALGANJ

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Sanjay Kushwaha @ Sanjay Singh S/o Mahatam Bhagat R/o village  
Choubey Parasa, P.S. Phulwariya Distt. Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dewendra Narayan Singh

For the Opposite Party : Mr. Dr. Kumar Uday Pratap(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

8 22-06-2015

Heard both sides.

The petitioner who is husband apprehends his arrest in connection with Phulwaria P.S. case no. 130 of 2011 registered under Section 304B, 201/34 of the IPC

The grand father of the deceased lodged the case alleging that 4-5 years ago the marriage of the grand daughter was solemnized with the petitioner. After marriage she was tortured on account of non fulfillment of dowry. She was done to death in the matrimonial home in suspicious circumstance by putting her on fire.

Learned counsel for the petitioner submits that the victim died of illness. The cremation was made in presence of the family members of the 'Naihar' people of the victim. There is no eye-witness to the occurrence.

Considering the fact that the deceased was done to death in the matrimonial home within 5 years of the marriage and the facts appearing from the record, particularly, the impugned order, I am not persuaded to extend him the benefit of anticipatory bail. Prayer is rejected.

In case the petitioner surrenders and prays for regular bail before the learned Court below, the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

**(Kishore Kumar Mandal, J)**

Shyam/-

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