

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35729 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

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1. Md. Manuddin Son of Late Samsuddin resident of Village-Bagen, P.S.-
Bagen, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

The petitioner apprehends his arrest in Ara Town P.S.
case No.23 of 2016 under Section 304B/34 of the Indian Penal
Code.

The informant, brother of the deceased, alleged that
he got information that condition of his sister is bad. On such, he
came and found his sister dead.

The learned counsel for the petitioner submits that
wife of the petitioner died on 25.12.2015 and the informant was
informed on the same day but the informant did not lodge the case
on 25.12.2015 and the FIR was lodged on 12.01.2016. The doctor,
who held post mortem examination, did not find any external or
internal injury and he opined that the deceased might have died

due to pulmonary disease but from perusal of the case diary it appears that the informant and other witnesses have stated that petitioner was torturing his wife due to non fulfillment of demand of dowry. Mansor Alam, father of the deceased, very categorically stated that the petitioner was demanding money and he was assaulting the deceased.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner is husband of the deceased, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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