

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47715 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Shiv Dayal Patel @ Shiv Dayal son of Mahendra Singh resident of village -
Gahai, P.S. - Dhaka, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Advocate
For the Opposite Party : Mr. Md.Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 04-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Dhaka P.S. Case No. 132 of 2015 pending in the Court of
SDJM, Sikrahana at Motihari for the offence instituted under
Sections 304(B) and 201/34 of the Indian Penal Code.

As per prosecution case, it is a case of murder of
informant's married daughter by the accused persons due to non-
fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no eye witness
to the alleged occurrence. There is no circumstantial evidence to
implicate the petitioner in the present case. Petitioner has falsely

been implicated in the present case.

On behalf of the State, it has been submitted that the petitioner is the husband of the deceased and he has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order and if possible the same may be disposed of on the same day.

(Sudhir Singh, J)

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