

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30906 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -KHODAWANPUR District- BEGUSARAI

=====

Diwakar Sah, Son of Fulena Sah @ Fulen Sah, Resident of Village- Shekha
Tola, Ekamba, P.S.- Khodawandpur, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 15-09-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner, being the husband, is apprehending

his arrest in connection with Khodawandpur P.S. Case No.03

of 2016 registered for the offence under Section 304B/34 of the

Indian Penal Code.

Diary in the present case was called for, which has

since been received.

Learned counsel appearing on behalf of the petitioner

submits that there is no allegation of demand of dowry and as

such, Section 304B of the Indian Penal Code would not be

attracted. He further submits that it has come during the course

of investigation that the petitioner was working outside and as

such, his complicity in connection with the present case cannot be attached.

Learned counsel appearing on behalf of the State, however, submits that the petitioner is the husband and has a moral responsibility with regard to his wife and the victim lady died within one year of her marriage into the family. The girl was burnt to death with 93% burn.

As such, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--