

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43652 of 2016

Arising Out of PS.Case No. -57 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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1. Manoj Kumar Choudhary Son of Chukdev Choudhary Resident of
Village Madhubani tara Nagar, P.S K. Hat, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 15-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

K.Hat (Madhubani) Police Station Case No. 57 of 2015 registered

for the offences punishable under Sections 323, 504, 304B,

120B/34 of the Indian Penal Code.

Petitioner happens to be husband of the deceased.

The informant claims that the marriage of the deceased with the

petitioner had taken place six years ago but she was subjected to

cruelty due to illegal demand of dowry. Admittedly, the deceased

died due to burn injuries.

Submission on behalf of the petitioner is that after

investigation, police found the accusation untrue and, accordingly,

final form was submitted but learned court below having differed

with the final report of police took cognizance of the offences



under Sections 304(B) and 201/34 of the Indian Penal Code against the petitioner.

Regard being had to the facts and circumstances of the case as well as submission of the parties, in my view, it is not a fit case for grant of anticipatory bail to the petitioner and, accordingly, his prayer for anticipatory bail in connection with K.Hat (Madhubani) P.S.case No. 57 of 2015, pending in the court of Chief Judicial Magistrate, Purnea, stands rejected.

However, this order shall not cause any prejudice to the concerned court at the time of considering the regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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