

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48139 of 2017

Arising Out of PS. Case No.-93 Year-2017 Thana- ITADHI District- Buxar

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Brajesh Dubey @ Brajesh Kumar, son of Jawahar Lal Dubey @ Tuntun Dubey, resident of Village- Jalwasi, P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Tiwary

For the Opposite Party/s : Mr. SRI ADITYA NARAYAN SINGH 1

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 17-10-2017 Heard Mr. Tiwary for the petitioner and the counsel for the State.

The petitioner being the husband of the deceased is facing prosecution under section 304-B IPC.

Precisely the allegation is that within 07 years of marriage the deceased was done to death in her matrimonial home inasmuch as the dead body was stealthily disposed of.

Learned counsel submits that the petitioner was not present in the village. The wife had recently come to the village home (Sasural) where she died a natural death. The petitioner is in custody since 19.05.2017. Other family members have been granted anticipatory bail.

Counsel for the informant opposed the prayer and



submitted that no information of death was given. The FIR itself discloses that the contradictory statements were made by the family members about the reason for death of the deceased. There is allegation of demand of dowry and torture by the petitioner as well.

Considering the nature of the allegation, the Court is not inclined to grant bail to the petitioner. Prayer is rejected.

If the trial is not taken up within 10 months, the petitioner shall have liberty to renew his prayer for bail.

(Kishore Kumar Mandal, J)

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