

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16518 of 2017

Arising Out of PS.Case No. -25 Year- 2013 Thana -AMBA District- AURANGABAD

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Shashi Singh, Son of Sh. Laxmi Singh, Resident of Village- Manjhuali,
Police Station- Amba, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Nivedita Nirvikar

For the Opposite Party/s : Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-07-2017 Heard Smt. Nivedita Nirvikar, learned counsel for the
petitioner and learned Additional Public Prosecutor .

The petitioner / husband of the deceased, has prayed for
grant of anticipatory bail in Amba P.S. Case No. 25 of 2013
registered for the offence under section 304B /201/ 34 of the
Indian Penal Code.

It was submitted by learned counsel for the petitioner
that though in the F.I.R it was alleged that demand of dowry was
made and the daughter of the informant was done to death due to
non-fulfillment of dowry, but fact remains that during
investigation no such material has been collected. She further
submits that good sense in between the parties has already
prevailed and as such, compromise petition has also been filed .



She further argued that mother- in- law and father- in- law of the deceased have already been extended the privilege of anticipatory bail by this court. Accordingly on the basis of parity she makes a prayer for extending the same privilege to the petitioner, however considering the fact that marriage was solemnized within seven years i.e. in the year 2011 as well as the fact that petitioner is husband and death of daughter of informant had occurred due to fire injury in the house of in- laws, the court is of the opinion that only on the ground that father-in-law and mother-in-law have been extended the privilege of anticipatory bail, the petitioner may not be extended the same benefit. The petitioner being husband of the deceased is not entitled to be extended the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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