

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37130 of 2018

Arising Out of PS. Case No.-138 Year-2015 Thana- SARAI District- Vaishali

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DIGAMBAR SINGH @ DIGAMBAR PRASAD SINGH S/o Late Anand
Kishore Singh, R/o Vill. + P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 18-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 304B, 335, 336 and 120B of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and thereafter committed murder of the victim 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 allegation of tampering of witnesses alleged against the petitioner. The petitioner is husband of the deceased. He has been made accused due to mistake of fact. There is no



substantive evidence to suggest his implication in the present case. There is no eyewitness to the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased. The onus is on him to explain the cause of death.

Considering the above, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected.

(Sudhir Singh, J)

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