

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55327 of 2018

Arising Out of PS. Case No.-154 Year-2016 Thana- SIKANDRA District- Jamui

Md. Taj Ansari, Son of Late Sahadat Ansari, Resident of Village- Ariyari,
Police Station- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 323, 504, 304(B), 120(B) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the accused person is of committing torture and assault and thereafter caused death of the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. On the earlier occasion also, case for offence under Section 498A IPC was instituted and the matter was compromised which is evident from the Annexure-2 to the present application. The deceased was residing at her *naihar*.



The death has also taken place at her naihar. Maintenance amount was also being paid by the petitioner as per the terms of the settlement between the parties.

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, as such, the onus is upon him to prove the cause of death.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. If the petitioner surrenders in the Court below and pray for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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