

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35663 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -SARE District- NALANDA (BIHARSHARIFF)

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1. Niraj Singh @ Soni Singh, son of Satrugan Singh @ Chunnu Singh,
resident of Village Bhaira Bigha, P.O. P.S. Sare, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. Doly Kumari, Wife of Niraj Singh @ Soni Singh, resident of Village
Bhairo Bigha, P.O. P.S. Sare, District Nalanda.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2018 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, 326, 307/34, 304(B) of the Indian Penal
Code and 34 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and
caused death of the victim due to non-fulfillment 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 against the petitioner. The petitioner has
falsely been implicated in the present case due to petty family



dispute. The petitioner has been made accused due to mistake of fact as on the date of occurrence, he was not present at the place of occurrence.

On behalf of the state, it is submitted that the petitioner is named in the FIR. He is husband of the deceased. It is his liability to explain the cause of death of the deceased.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Sare P.S. Case No. 36 of 2018 stands rejected.

Anyhow, the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit in accordance with law without being prejudiced by this order.

(Sudhir Singh, J)

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