

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58116 of 2018

Arising Out of PS. Case No.-70 Year-2017 Thana- BANSHI District- Jehanabad

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Anil Tiwari S/o Kamal Nayan Tiwari @ Ayodhya Pandey, R/o Kalyanpur,
P.S.- Banshi, District- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-11-2018 Petitioner prays for bail in connection with Banshi

P.S.Case No. 70 of 2017 registered for the offences punishable

under Sections 304B, 201 and 34 of the Indian Penal Code.

Allegation against the petitioner is of causing dowry
death and petitioner happens to be the husband of the deceased.

Submission of learned counsel for the petitioner is
that the lady is still traceless and her dead body has not been
recovered and material shows that on 14.11.2017 the deceased
had to appear before Mahila Helpline and thereafter accused
persons, including the petitioner killed her and disposed of her
dead body. However, if the matter was before the Mahila
Helpline the deceased could not have been in her sasural and as
such petitioner has falsely been implicated in this case and he is
in custody since 19.5.2018.



Heard learned APP also, who has opposed the prayer for bail stating that there was demand of motorcycle and jewellery and FIR shows that deceased was subjected to cruelty and matter was pending before the Mahila Helpline and in paragraph-9 of the case diary one witness has disclosed that he heard that occurrence has taken place in the house of the petitioner and he saw that the petitioner and other accused persons have taken the deceased and that clearly shows the hands of the petitioner and petitioner is husband of the deceased.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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