

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16911 of 2018

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

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1. Anil Tiwari @ Anil Kumar, Son of Kamal Nayan Tiwari, Resident of Kalyanpur, P.S.- Banshi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 18-05-2018 Heard both sides.

The petitioner apprehends his arrest in Banshi P.S. case No. 70 of 2017 for the offences punishable under Section 304B, 201/34 of the Indian Penal Code.

The mother of the deceased alleged that she got information that her daughter was done to death and her dead body was made traceless with a view to screen out the offence. Marriage of her daughter with the petitioner was solemnized on 26.02.2015 and she was subjected to different sorts of torture due to non fulfillment of demand of dowry. The deceased earlier lodged complaint in Mahila Helpline.

The learned counsel for the petitioner submits that, of course, the petitioner is husband of the lady but there is no



evidence that the wife of petitioner was killed or her dead body was cremated hurriedly. In fact the wife of petitioner went to her Naihar and she became traceless from there and taking advantage of this fact the mother-in-law of the petitioner lodged the case making the false allegation against the petitioner and all his family members. The police did not find the case true against the other accused persons but I find that petitioner is husband and there is allegation against him that he was subjecting his wife to different sorts of torture due to non fulfillment of demand of dowry and the wife of petitioner is still traceless.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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