

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47654 of 2018

Arising Out of PS.Case No. -387 Year- 2017 Thana -DANAPUR District- PATNA

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Gaurav Kumar, son of Late Sunil Kumar, resident of Sultanpur, Devi
Asthana, Police Station- Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Neerad Parashar, Advocate.

For the Opposite Party : Mr. Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-10-2018 Heard learned counsels for the petitioner, informant
and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A) and 304(B)/34 of the
IPC.

The prosecution story, in brief, is that the daughter of
the informant Shipra Kumari was married with the petitioner on
20.04.2016 and after two days of marriage, she was harassed by
the accused persons for demand of 2,00,000/- rupees and on non-
fulfilment of demand of dowry, the petitioner and his relatives had
restricted to her father for making contact with his daughter. On
19.06.2017 at about 5.00 P.M. when the informant went to meet
with his daughter, he found she was burnt and she is dead.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no eye witness to the alleged occurrence nor there is any substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsels for the State and informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case. The petitioner is husband of the deceased. The onus is on him to explain cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Danapur P.S. Case No. 387 of 2017, pending in the court of learned Additional Sessions Judge-VIIth, Danapur, Patna.

Anyhow, if the petitioner surrenders and prays for regular bail in the learned court below, the same shall be considered and disposed of on its own merit without being prejudiced by this order of the Court.

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(Sudhir Singh, J)

