

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54068 of 2017

Arising Out of PS.Case No. -216 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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Sonu Kumar, S/o Lalan Singh, Resident of Village- Singahi, P.S.- Paroo,
District- Muzaffarpur.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-04-2018 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, 304(B), 328 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim and done to death 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 been made accused in this case due to mistake of fact. On the date of occurrence, the petitioner and his father were at Kolkata where



they are working as drivers, which is evident from paragraph-10 of the case diary.

From perusal of the postmortem report, it appears that there is no external or internal injury. The viscera report is also called for, which indicates that it is not a case of poisoning.

It is submitted on behalf of the petitioner that the deceased died due to diarrhoea.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

Anyhow, if, the petitioner surrenders in the court below and moves for regular bail, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on behalf of the petitioner.

(Sudhir Singh, J)

A.K.V./-

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