

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26301 of 2019

Arising Out of PS. Case No.-96 Year-2016 Thana- HAJIPUR SADAR District- Vaishali

Digvijay Tiwari @ Digvijay Kumar Tiwari @ Digvijay Kumar S/o Somnath
Tiwari R/o village- Dighi Chaila Chowk, P.S.- Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Das

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 304B, 201/34 of the Indian Penal Code.

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 alleged against the petitioner. The
petitioner is in custody since 29-09-2018. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. At the time of occurrence, the
child of the petitioner was hardly six months old. The child is



residing with the parents of the petitioner. The wife of the petitioner had left the house out of her own will and thereafter, she did not return. Not a single witness from the P.O. has been examined in course of investigation. Witnesses are in-laws of this petitioner. There is no evidence in the case diary to suggest that the dead body of the deceased has been concealed or cremated by the petitioner or his family members.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to release the petitioner on bail. Accordingly, prayer for bail of the petitioner in connection with Hajipur Sadar P.S. Case No. 96 of 2016 is rejected at this stage .

(Sudhir Singh, J)

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