

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33709 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- ATHMALGOLA District- Patna

Pankaj Sao, S/O Sri Shambhu Sao, Resident of Village- Nizampur, P.S.-
Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-09-2019 This is an application for grant of anticipatory bail in
connection with Athmalgola P. S. Case No. 214 of 2018,
disclosing offences under Sections 304B, 34 of IPC.

Allegation against the petitioner, who happens to be
the husband of the deceased is of subjecting her to cruelty and
harassment. It is said that petitioner and other accused persons
killed her with respect to demand of dowry.

Submission of the learned counsel for the petitioner is
that the whole allegation is false and concocted and there is no
chance of tampering with the evidence and furthermore, cause
of death could not be ascertained in the postmortem report and
viscera report is preserved. It has also been submitted that she
has filed a petition, in which her thumb impression was also
taken and as such, she has not taken any action against him.

Heard learned A.P.P. also, who has opposed the prayer



for anticipatory bail.

Having heard both sides, in view of the allegation and considering the fact that petitioner is husband of the deceased and case is of dowry death, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail and the learned court below shall consider the aforesaid submission of the learned counsel for the petitioner while disposing of the bail application of the petitioner.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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