

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53821 of 2019**

Arising Out of PS. Case No.-68 Year-2019 Thana- DHANKUND District-
Banka

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MD. HASIM @ MD. HAMIM, aged about 32 years, male, Son of Md. Rasool
Resident of Village-Naya Tola Nisabad, Birbalpur, P.S.-Dhankund, District-
Banka.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 304(B)/34 of the Indian Penal Code and
Section 3/4 of Dowry Prohibition Act registered in connection with
Dhankund P.S. Case No. 68 of 2019.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the husband of the
deceased. It is submitted that the petitioner's wife became ill and
in respect of which the petitioner's mother called the informant
and soon thereafter the deceased died. It is submitted that
despite providing all medical facilities the deceased did not
survive and about which the petitioner's mother intimated the



informant. The petitioner claims clean antecedents.

4. Learned APP opposes the petition, submitting that the ingredients of the offence under Section 304B IPC are attracted in the face of accusations and dowry demand soon before death which occurred within two years of the marriage.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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