

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71058 of 2019**

Arising Out of PS. Case No.-101 Year-2019 Thana- PARASBIGHA District- Jehanabad

Dinesh Singh Son of Late Kamal Singh, resident of Village-Jethiara, Police
Station-Parasbigha, District-Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 07-11-2019

Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Parasbigha P.S. Case No.101 of 2019 registered for offence punishable under Sections 328, 302, 201 read with Section 34 of the Indian Penal Code.

As per F.I.R. allegation against the petitioner is of torturing and due to non-fulfilment of dowry, all accused persons killed the daughter of the informant giving her poison and after killing her, they burnt her dead body.

Submission of learned counsel for the petitioners is that there was second marriage of the deceased and the first husband of the deceased also died leaving behind one child. He submits that in such type of marriage, there is no question of demand of dowry or torture and the victim died due to



diarrohea.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail on the ground that deceased has been killed due to non-fulfilment of dowry and her dead body was disposed of without giving information to the informant.

In view of facts and circumstances, as stated above, as well as considering the fact that the petitioner is husband of the deceased, I am not inclined to grant privilege of anticipatory bail to the petitioner, however petitioner is directed to surrender before the court below and make a prayer for regular bail. If petitioner surrenders before the court below and prays for regular bail, the learned court below shall consider the same without being prejudiced with this order in accordance with law preferably on the same day.

With above observation, this application is disposed of.

(Vinod Kumar Sinha, J.)

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