

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31767 of 2021**

Arising Out of PS. Case No.-378 Year-2020 Thana- GORAUL District- Vaishali

MD . IMRAN @ MD. IBRAN S/o Late Md. Suleman R/o village- Mansurpur  
Walaiya, P.S.- Goraul (Kathara O.P.), District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      31-08-2021                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection  
with Goraul P.S. Case No. 378/2020 registered under Sections  
304(B)/34 of the Indian Penal Code.

Allegation against the accused persons is of  
committing torture and assault and thereafter caused death of  
the victim due to non-fulfilment 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 has falsely been implicated in the  
present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R. The petitioner is the husband of the deceased. As per the post-mortem report, the cause of death is burn injury. Along with the deceased, 9 month old baby has also been burnt to death. As such, the onus is on the petitioner to explain the cause of death of his wife.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

**(Sudhir Singh, J)**

Pankaj/-

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