

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32623 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- AMARPUR District- Banka

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Madhav Mandal S/O Bongi Mandal R/O Village-Mansarpur, P.S.-
AMARPUR, District-Banka.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in Amarpur
(Banka) P.S. Case No. 64 of 2020 registered under Section
304(B) and 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry
Prohibition Act.

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. As per the allegation made in the F.I.R., the deceased was throttled to death by the accused persons. It has further been submitted that there is no external or internal injury on the body of the deceased. As per the F.S.L. report, the deceased is said to have died due to poisoning.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. As per the F.S.L. report, the deceased is said to have died due to poisoning. The onus is upon 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)

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