

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32749 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- RAHIKA District- Madhubani

PINKU THAKUR S/O LATE RAM VILAS THAKUR R/o village- Kolhanta,
Patori, P.S.- Maro, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.A.G.

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 Rahika P.S. Case No. 89/2020 registered under Sections 304(B) 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. The deceased is said to have died due to asphyxia and hanging. 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)

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