

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21875 of 2014**

Arising Out of PS.Case No. -261 Year- 2004 Thana -KADAMKUAN District- PATNA

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1. Prof. Har Govind Singh son of late Lal Babu Singh resident of village - Payarepur, Police Station - Sarmera, District Sheikhpura at present Pallavi Apartment, Nala Road, Police Station - Kadamkuan, District - Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4      27-01-2015      Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 302 and 201/34 of the I.P.C.

Allegedly, the petitioner being husband of the deceased is suspected to kill his wife. The petitioner after locking the flat went away and after three days foul smell was coming from the flat, police was informed by the informant and the dead body of petitioner's wife was recovered. She was found brutally murdered by cutting her neck.

Submission is that the petitioner is not named in the F.I.R. and there is inordinate delay in dispatching the F.I.R. in the

Court. After seven years the police has taken warrant of arrest to arrest the petitioner who is suffering from Cancer and is old aged. Mother of the deceased has not stated anything against the petitioner vide paragraph 39 of the case diary and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

It is not in dispute that the petitioner and the deceased were living together in that flat of Pallavi Apartment and the petitioner after locking the flat went away and after three days foul smell started coming from that flat and then the police was informed and the dead body of petitioner's wife was recovered wherein she was found brutally murdered by cutting her neck. Witnesses had supported this fact also and as such considering seriousness of the offence this Court is not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly such prayer of the petitioner stands rejected in connection with Kadamkuan P.S. Case No. 261 of 2004/ G.R. No. 1588 of 2004 pending in the Court of C.J.M. Patna.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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