

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27802 of 2015

Arising Out of PS.Case No. -209 Year- 2012 Thana -PARWATTA District- KHAGARIA

Rudal Singh, son of Late Shakaldeo Singh, resident of village-Nayagaon,
P.S. Parbatta, District-Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Binod Kumar

For the Opposite Party : Mr. Navin Kr. Panday (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Parbatta
P.S.Case No.209 of 2012 instituted under Section 304(B)/34 of the
Indian Penal Code pending in the Court of CJM, Khagaria.

It is alleged by the informant that the daughter of the
informant namely, Anita Devi was married with this petitioner
before one and half years. Further on 10.08.2012 the informant
received information that her daughter Anita Devi has burnt
during course of making tea, then the informant went there where
her daughter narrated that the accused persons used to treat her
with cruelty and have sprinkled kerosene oil on her body and set
her on fire and on 09.04.2012, the deceased died.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. As per the prosecution case, the alleged occurrence is said to have taken place on 10.02.2012 in respect to which a fardbeyan was recorded on 09.04.2012 and finally the case was instituted on 04.11.2012. There has been no explanation on the part of the prosecution. Petitioner has falsely been implicated in the present case. There is no sufficient evidence in the case diary against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and he is the husband of the deceased.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection taking into account the delay in institution of the case.

(Sudhir Singh, J)

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