

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27061 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -BAIKUNTHPUR District- GOPALGANJ

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Bir Bahadur Kumar @ Bir Bahadur son of Late Ganga Bishnu Prasad
resident of village - Hamidpur, Police Station - Baikunthpur, District -
Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh
For the Opposite Party : Mr. Nityanand Tiwari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in
Baikunthpur P.S.Case No.227 of 2014 instituted under Sections
304(B) and 201/34 of the Indian Penal Code pending in the Court
of Shri A.K.Tripathi, Judicial Magistrate, Ist Class, Gopalganj.

It is alleged by the informant that his sister Kumari
Pratima was married with petitioner since before six months and
as per his capacity spent money gifted articles at the time of
marriage and *Bidai* was held and she was kept well for some time
but later on the accused persons started torturing her. It is alleged
that on 14.12.2014 the informant received information that his
sister was ill and her treatment was going on and the informant
with his mother and sister came to her marital house and came to

know that the accused persons committed murder of his sister.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has falsely been implicated in the present case. There is no substantive evidence against the petitioner. It has further been submitted that the petitioner was ill and in course of her treatment, she has died which is evidence from the perusal of the case diary.

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

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

Any how, 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.

(Sudhir Singh, J)

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