

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36023 of 2015

Arising Out of PS. Case No. -13 Year- 2015 Thana -AANTI District- GAYA

Umesh Yadav S/o Karu Yadav R/o village - Chabura, P.S. Rafiganj,
District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mrs. Anuradha Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 302, 34 of the Indian Penal Code.

The sister-in-law of the deceased is the informant of
the case. The informant alleged that after death of the husband of
the deceased, the deceased was living with the informant. The
petitioner is the brother-in-law of the deceased. The petitioner
wanted the deceased to transfer the lands falling in her share in
favour of the petitioner. The informant further alleged that the
petitioner along with other three persons came and stayed at the
house of the informant. There was raining at the night. The
informant came out to cover cow-dung. His sister-in-law (the
deceased) also followed her, but in the meantime, the petitioner
and others, who had stayed at the house of the informant, stabbed

Lalmuni Devi and fled away. Sri Dhirendra Kumar Sinha, learned counsel for the petitioner, submits that except the informant, there is no eye-witness of the occurrence. Even the informant did not see as to who stabbed her sister-in-law Lalmuni Devi (the deceased). The wife of the petitioner filed a complaint case against the informant, her husband and others that they killed Lalmuni Devi, but from perusal of the record, it appears that the informant is the sister-in-law (Bhabho) of the deceased and the deceased, after the death of her husband, was living in the house of the informant. The informant has very categorically stated that it was the petitioner who was pressurizing the deceased Lalmuni Devi to transfer the lands falling in her share to him and consequently thereupon the petitioner and others killed Lalmuni Devi and fled away.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Anti P.S. Case No. 13/2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--