

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42780 of 2015

Arising Out of PS.Case No. -290 Year- 2015 Thana -KHAZANIHAT District- PURNIA

Mukund Chaudhary @ Mukund Kumar Choudhary, son of Late Nityanand Chaudhary, R/o Village - Shastri Nagar, Purnia, Police Station - K. Hat, District - Purnia.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with K. Hat (Madhubani) P.S. Case No.290 of 2015 registered under Sections 302, 201 and 120(B)/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Purnia.

The allegation of the informant is that the marriage of his sister was performed with the petitioner in the year 1998. Thereafter, she was being tortured by her husband and in-laws regarding which his sister had lodged a case bearing No.172 of 2007 under Section 498(A) of the Indian Penal Code, which was pending in the court of the Judicial Magistrate, First Class, Bokaro, in which

order was passed. After knowing about the said order, the husband of his sister (petitioner) and his other family members killed the sister of the informant.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the sister of the informant. In fact, the sister of the informant, committed suicide by consuming poison regarding which on the basis of the statement of the mother of the petitioner U.D. Case No.08 of 2015 was lodged and thereafter, the dead body of the sister of the informant was handed over to the mother of the petitioner but, later on, with an ulterior motive, the informant has lodged this false case against the petitioner and his family members.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within six weeks from today and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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