

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27085 of 2015

Arising out of PS.Case No. -306 Year- 2013 Thana -KOTWA District- EAST
CHAMPARAN(MOTIHARI)

Umesh Kumar Singh @ Umesh Singh, Son of late Radha Mohan Singh,
resident of Village- Kesariya Tola, Ps- Kesaria, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.

For the Opposite Party : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in connection
with Kotwa P.S. Case No. 306/2013 for the offences instituted
under Section 302/34 of the IPC.

The prosecution story, in brief, is that on 11.11.2013 at
about 2.00 P.M., the village person informed the informant on
phone that murder of his cousin sister, Roochi Raj has been
committed. The informant had gone to village-Gawanpatti Jasauli,
then he saw that murder of Roochi Raj has been committed. Father
and mother of Roochi Raj have already died and her look-after
was being done by her sister Abha Devi and brother-in-law Umesh



Singh(petitioner). Roochi Raj had made complaint that to grab property, her sister and brother-in-law may commit her murder. The informant came to know that one day before at about 5.00 P.M. Bahnoi of Roochi, namely, Vijay Pratap Singh @ Pintu Kumar Singh, Manoj Singh and sister Chunchun Devi had come in village and in the night they had stayed at her home. Kishore Patel and Anand Kumar Patel, both were working in Tower of Reliance Company and used to live there. The informant has confident that this petitioner-accused alongwith co-accused have committed murder of Roochi Raj and they have fled away leaving the dead body.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. There is no specific allegation made against the petitioner. There is no eye witness to the occurrence. It is further submitted that in course of investigation, a letter of the deceased was recovered which do not indicate the involvement of the petitioner in the present case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and strong motive is there against the petitioner.

Considering the aforesaid facts and circumstance, I am not inclined to grant anticipatory bail to the petitioner in

connection with Kotwa P.S. Case No. 306/2013, pending in the court of the learned C.J.M., East Champaran at Motihari. The same is rejected. Anyhow, if the petitioner surrenders in the court below within a period of six weeks from the date of receipt/production of copy of this order the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)