

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41168 of 2015

Arising Out of PS.Case No. -122 Year- 2013 Thana -MARAUNA District- SUPAUL

Santosh Nayak @ Santosh Kumar Nayak, son of Khakhan Nayak, resident
of village Belhi, P.S. Marauna, District Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Rajesh Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 302, 120(B)/34 of the Indian Penal Code.

The informant alleged that Khakhan Nayak, the
father-in-law of the daughter of the informant, killed her daughter
by cutting her throat. Other accused persons assaulted him. The
informant further alleged that the petitioner was demanding
money and other articles and also threatening to get his wife killed
if the demand was not fulfilled. Learned counsel for the petitioner
submits that the petitioner was not present in his house. He was
working in Delhi at the relevant time. The police, after
verification, submitted final form finding the accusation against
the petitioner false but the learned court below took cognizance.

It appears that the informant has made a specific

allegation that the petitioner, who is the husband of the deceased, was torturing his wife and instigating the other family members to get his wife killed. The father of the petitioner killed the wife of the petitioner by cutting her throat. During the investigation, the witnesses have also stated that the petitioner had strained relation with his wife.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Marauna P.S. Case No. 122 of 2013, corresponding to G.R. No. 1800 of 2013. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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