

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39488 of 2015

Arising out of PS.Case No. -151 Year- 2014 Thana -ANDER District- SIWAN

Shailendra Singh, Son of Shyam Bihari Singh, resident of Village :
Gopipatiao, P.S. Andar (M.H. Nagar), District : Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party : Mr. Parmanand Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection
with Andar P.S. Case No. 151 of 2014 for the offences instituted
under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the petitioner and
other co-accused persons committed murder of the informant's
daughter for the demand of motorcycle.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. It is further submitted
that the petitioner has been made accused in the present case due
to mistake of fact. It is submitted that the petitioner was married
with the victim as back as in the year 2004. From perusal of

Annexure-2 it would appear the victim-deceased had died in course of treatment. There is no allegation for demand of dowry.

On behalf of the State it has been submitted that the petitioner is the husband of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Andar P.S. Case No. 151 of 2014 pending in the court of the learned C.J.M., Siwan. 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)