

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34538 of 2015

Arising Out of PS.Case No. -78 Year- 2013 Thana -KHUTAUNA District- MADHUBANI

1. Lalit Narsariya S/o Jago Narsariya, Resident of village- Siswan, P.S.-
Khutauna, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 29-10-2015

Heard both sides.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 302/34 of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that they had quarrel with her husband and they had threatened her husband to kill him.

Learned counsel for the petitioner submits that the informant is not an eye witness of the occurrence and on mere suspicion the informant named the petitioner along with other accused persons. It is submitted that in paragraph 66 of the case diary the independent witnesses have stated that the deceased was killed by some unknown persons but on perusal of the case diary it

appears that the informant has very categorically named the petitioner. One photograph of one of the accused, namely, Rupesh Bhadeshwar was also recovered from the place of occurrence. Daughter of the deceased also named the petitioner and others and stated that they all caught the deceased and assaulted him with Tangi causing his death on the spot.

Considering the facts aforesaid, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Khatauna P.S. Case No. 78 of 2013 pending in the court of Sri Devesh Kumar, Judicial Magistrate, 1st Class, Jhanjharpur, District Madhubani. His prayer for anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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