

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15802 of 2016

Arising Out of PS.Case No. -65 Year- 2013 Thana -BALIA District- BEGUSARAI

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Neeraj Poddar, Son of Late Bihari Poddar, Resident of Village -
Masudanpur, P.S.- Ballia, District – Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Ballia P.S. Case No.65 of 2013 for the offences instituted under Sections 304(B), 201 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant Jhakas Poddar gave a written report to S.H.O. Ballia P.S. alleging therein that his daughter Nutan Devi married with Neeraj Poddar three years ago. After marriage, she went to her sasural where she lived and thereafter, the informant took her to his house. It is further alleged that Niraj Poddar, husband of Nutan Devi, Chandan Poddar (Debar) and Rekha Devi (Sas) started demanding 1 ½ Bhar Golden in dowry and for which they started torturing her

and on 1.4.2013, Neeraj Poddar, Chanda Poddar and Rekha Devi killed her for non-fulfillment of demand of dowry and disappeared her dead body.

It is submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has falsely been implicated in the present case. The alleged occurrence is said to have taken place on 1.4.2013, F.I.R. was instituted on 6.4.2013. No explanation in respect to delay has been made on behalf of the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and is the husband of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to release the petitioner on anticipatory bail, same is rejected.

Any how, if the petitioner surrenders in the court below, i.e., Chief Judicial Magistrate, Begusarai in Ballia P.S. Case No.65 of 2013, same shall be considered on its own merit without being prejudiced by the order of this Court.

(Sudhir Singh, J)

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