

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21696 of 2016**

Arising Out of PS.Case No. -833 Year- 2015 Thana -TURKAULIYA District- EAST  
CHAMPARAN(MOTIHARI)

=====

1. Vivek Kumar son of Deepak Kumar, resident of Village Raghunathpur  
Motihari, Police Station Turkaulia, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : None

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2      19-05-2016      Heard Mr. Sanjay Kumar Singh for the petitioner. None for  
the State.

The petitioner apprehends his arrest in connection with  
Turkaulia P.S. case no. 833 of 2015, registered under Sections  
365, 364A, 302, 201 and 120B of the IPC.

On the basis of the written report submitted by the  
informant, the FIR was lodged in which it is alleged that her  
husband (deceased) did not return from the work. Enquires were  
made but he was not traced. Accordingly, the FIR was lodged  
against unknown. In course of investigation, the brother of the  
petitioner was arrested. He made confessional statement naming  
the petitioner. On the confessional statement of the brother the

dead body of the husband of the informant was found in the septic tank of the toilet of the co-accused.

Contention of the petitioner is that he is not named in the FIR. In fact, he was working during the relevant time in Delhi. It is stated that he was dispossessed from the house and is residing in Delhi and earns his livelihood.

On perusal of the impugned order, it appears that considering the materials collected against the petitioner charge-sheet has already been laid. Considering the materials evidencing from the record including the impugned order as also the severity of the allegation, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer is rejected.

**(Kishore Kumar Mandal, J)**

Shyam/-

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