

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29599 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -MANIGACHI District- DARBHANGA

=====

Arun @ Arun Yadav Son of Kappo Yadav @ Kapileshwar Yadav Residents
of Village- Chak Chintamanipur, Police Station- Manigachhi, District-
Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar Prasad, Advocate.

For the Opposite Party : Mr. Renu Kumari, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-09-2016 Heard both sides.

The petitioner apprehends his arrest in Manigachhi
(Wajitpur) P.S. Case No. 11 of 2016 registered for the offences
punishable under Sections 302 and 34 of the Indian Penal Code.

The informant, wife of the deceased made allegation
that the petitioner threatened her husband for dire consequences
only because her husband had taken money from the petitioner.
She further alleged that Shailendra Yadav, Arun Yadav and
Rabindra Jha @ Bhulla brought the dead body of her husband and
threw the same on the entrance of her courtyard.

Learned counsel for the petitioner submits that there is
no eye witness of the occurrence. The petitioner got nothing after
killing the deceased. Somebody else might have killed the

deceased. Since the petitioner was acquainted with the deceased therefore he brought the dead body of the husband of the informant.

It appears that the informant has made very specific allegation that the petitioner had earlier threatened to kill the deceased and the informant saw the petitioner and two other persons who threw the dead body of her husband near her house.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that similiary situated co-accused Rabindra Jha @ Bhulla has already been granted regular bail vide order passed in Cr. Misc. No. 11949 of 2016 on 17.03.2016.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--