

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35470 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -AKBARPUR District- NAWADA

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1. Bipin Kumar S/o RajKumar resident of Village--Kazichak, P.S.-
Rajauli, District- Nawada, Bihar
2. Satyam Kumar S/o Satish Singh
3. Rakesh Kumar @ Rakesh Singh S/o Rajendra Singh
4. Satish Prasad @ Satish Singh S/o Rajendra Singh All are Resident of
Village- Farha, P.S.-Akbarpur, Dist- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 16-11-2016 Heard both sides.

The petitioners apprehend their arrest in Akbarpur P.S.
Case No. 79/2016, registered for the offences punishable under
Sections 302, 201, 120B and 34 of the Indian Penal Code.

The informant widow of the deceased alleged that she
was married with Nitesh Ranjan on 20.04.2016 and she went to
her matrimonial house, but her in-laws ousted her and her husband
from the house. Bipin Kumar brother-in-law of the deceased had
taken Rs. 2,00,000/- for running business from the deceased and
when the deceased demanded money some verbal altercation took
place. It is further alleged that on 08.05.2016 the accused persons

came to her residence and took her husband on the pretext that sister and brother-in-law of the deceased were coming from Rajasthan, but thereafter her husband did not return. On the next day she came to know that her husband was killed.

Mrs. Soni Shrivastava learned counsel for the petitioner submits that the informant came to know from Satyendra Singh @ Sipahi that her husband was killed and the dead-body was cremated, but the informant lodged the case on 12.05.2016 i.e., after three days of the occurrence. The true fact is that the husband of the deceased was mentally depressed on account of matrimonial disputes between the husband and the wife and that is why the husband committed suicide in front of the house of the petitioners. The complaint case no. 458/2016 was also filed by Rajendra Singh father of the deceased. Similarly situated co-accused Vibha Devi and Vimla Devi have already been enlarged on anticipatory bail. The case of the petitioners stand on the same footing, but it appears that admittedly, the husband of the deceased died in front of the house of the petitioners and his dead-body was cremated, the informant newly wedded wife of the deceased was not informed. When the informant filed this case, the father of the deceased Rajendra Singh filed complaint case only to create defense.

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

(Prabhat Kumar Jha, J.)

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