

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31659 of 2016

Arising Out of PS.Case No. -223 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

Sudhir Kumar @ Sudhir Singh Son of Ramdeo Singh Resident of vill. -
Alampur Dih, P.S. Bibhutipur, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

The petitioner apprehends his arrest in Bibhutipur P.S.
Case No. 223/2015, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The Chowkidar is the informant of the case who lodged
the case after recovery of two dead bodies of a boy and a girl
hanging with the Banyan Tree.

Learned counsel for the petitioner submits that the
petitioner is innocent. There is no eye-witness of the occurrence.
During the course of investigation, it has come that one Rajiv
Kumar was in love with the victim Madhu Priya and he committed
the murder of Deepak Kumar and Madhu Priya. Similarly situated
co-accused Gauri Kant Mahto has already been enlarged on

regular bail. There is no tangible material against the petitioner. From perusal of the case diary, it appears that during the course of investigation it has come that Deepak Kumar and Madhu Priya were in love with each other, but the father of the Madhu Priya was not intending to marry his daughter with Deepak Kumar. After construction of the house, the father of Deepak Kumar went to Vaishno Devi, but during this period the petitioner being uncle of Madhu Priya and other accused persons called Deepak Kumar and Madhu Priya and killed them and they hanged the dead body with the Banyan Tree in a lonely place. Both the deceased appeared to have poisoned to death. Viscera is kept reserved.

Considering the facts aforesaid it appears that it is a case of honour killing and petitioner is the uncle of the deceased Madhu Priya, at whose instance Madhu Priya and her lover Deepak Kumar were killed, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Vinita/-

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