

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38001 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -NAUHATTA District- SAHARSA

Pawan Ram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the sister of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 328 and 302 of the Indian Penal Code.

The basic accusation is of torture and killing the sister of the informant by administering poison and disposing of the dead body. The sister of the informant was married in 2007 but few months prior to the death, the petitioner was planning to perform second marriage hence poison was administered and after death the dead body was disposed of.

It is submitted by the learned counsel for the petitioner that as per own admission of the informant, the torture was being inflicted only few months prior to the death. The victim committed

suicide by consuming poison. It is further submitted that the informant retracted from the initial version and has filed a petition to that effect before the learned court below.

Learned APP, after going through the case diary, submits that though there is no eye witness to the occurrence but the witnesses have suggested that the petitioner was planning to perform second marriage, hence the sister of the informant was eliminated.

This court is not inclined to grant anticipatory bail to the petitioner. Let the learned court below consider the prayer for bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Nauhatta P.S. Case No. 39 of 2016 pending in the court of learned C.J.M. Saharsa.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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