

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39647 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -AMARPUR District- BANKA

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1. Alok Kumar @ Amit Kumar, S/o Birendra Kumar resident of village-
Mansarpur, Laugai, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-10-2016 Heard both sides.

The petitioner apprehends his arrest in Amarpur P.S.
Case No. 105/2015, registered for the offences punishable under
Sections 364, 302, 379 and 34 of the Indian Penal Code.

The informant alleged that on 30.03.2015 the
petitioner along with other co-accused took her son for purchasing
a policy of insurance of LIC but her son did not return. On the
next day, the informant got information that dead body of her son
was hanging in a tree. The police was informed and her husband
made statement before the police but the police registered an U.D.
Case.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has committed no offence. There is

no eye witness of the occurrence. Nobody has seen the petitioner committing murder of the deceased. Father of the deceased did not make any sorts of allegation against the petitioner. After eight days of death, mother of the deceased filed a complaint case, on the basis of which the present FIR is lodged.

It appears that the father of the deceased made statement before the police after recovery of the dead body, but the mother of the deceased made specific allegation that the petitioner and others took her son with them for taking insurance policy but her son did not return and on the next day dead body of her son was found hanging in a tree. The post-mortem report reveals that the deceased died due to asphyxia on account of strangulation.

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

(Prabhat Kumar Jha, J.)

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