

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9017 of 2016

Arising Out of PS.Case No. -334 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Munna Kumar Son of Ganesh Yadav, resident of village- Laxmipur
Gadaria, P.S.- Turkaulia, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. R.S.Choudhary(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 26-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 302, 201/34 of the
Indian Penal Code.

The prosecution case is that the Chowkidar, Bharat
Yadav, lodged the case leveling accusation that on 21.06.2014 at
6.30 AM he received information that co-accused, Ganesh Yadav,
has killed his daughter. On such information, the informant
proceeded and on the way he found co-accused, Kanhaiya Yadav
and the petitioner carrying a dead body in a gunny bag on a motor
cycle. The motive of the occurrence was that the victim fell in love
with some one. Subsequently, the police was informed, they came,

and found the accused persons cremating the dead body.

It is submitted by the learned counsel for the petitioner that only on suspicion the accusation has been levelled and, even assuming the accusation against the petitioner, only a case under section 201 of the IPC is made out. Moreover, co-accused Ganesh Yadav has been granted regular bail. Investigation against co-accused Ganesh Yadav has already been concluded and charge sheet has been submitted under section 306 of the IPC but investigation against the petitioner is still continuing.

Considering the nature of accusation, which prima facie suggests the case of honour killing, this court is not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is, accordingly, rejected.

(Dinesh Kumar Singh, J)

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