

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54245 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Tulsi Mandal, Son of Ramfal Mandal, resident of village - Manth Tola
Aukatya, P.S. Bhawanipur, District - Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhawanipur P.S. Case No. 163 of 2016 registered under
Sections 364, 302 and 201/34 of the Indian Penal Code, pending in
the court of J.M. Ist Class, Purnea.

The accusation is that Md. Sajid, son of the informant
was missing since 03.09.2016. In course of search, informant
came to know that Sitara Khatoon, who is relative of the
informant, concealed his son. On 13.09.2016, when Sitara
Khatoon was pressurized then she disclosed that the son of the
informant had seen her in objectionable condition with petitioner
due to that reason Md. Sajid, son of the informant, was killed and



buried. Thereafter, informant gave information to the police, who came and recovered the dead body of his son in the bamboo orchard of Gopal Prasad Singh.

Learned counsel for the petitioner submits that, in fact, there was dispute in between the petitioner and Md. Sajid, who has illicit relation with Sitara Khatoon, due to that reason petitioner has falsely been implicated in this case. It is further submitted that the dead body was not in position to identify by anyone.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within six weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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