

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29439 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Raj Kumar Sahani Son of Late Baidh Nath Sahani resident of Village-
Raghunath Pur Tola Bhalua P.S- Turkauliya, District-East Champaran

.... Petitioner/s

Versus

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. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-09-2016 Heard Mr. Vijay Shankar Shrivastava and Mr. M.

Dayal, APP for the State.

The petitioner is the husband of the deceased. On the relevant date, he was staying at the sasural with his wife. The informant had gone to the house of the neighbour. On return, she found that the son-in-law and the daughter missing. Hectic search was made. In the night, it was informed that a dead body was deserted in the wheat field. The same was identified as the body of the daughter of the informant. On these allegations, the petitioner has been made the sole accused of Patahi Case No. 63 of 2015 registered under Section 302, 201 of the Indian Penal Code and hence the apprehension.

Contention of the petitioner is that no motive is assigned for the alleged occurrence. There is also no allegation that any demand of dowry was made. On mere suspicion, the petitioner has been made accused. In course of investigation, no eyewitness has supported the prosecution case.

Mr. Dayal conversely submitted that he is the sole accused of the case. According to the FIR, he was last seen with the deceased. In course of investigation the witnesses have supported the prosecution case as would appear from the impugned order.

Considering the severity of the allegation as well as the materials reflected from the impugned order, in my view, the petitioner does not deserve anticipatory bail.

The prayer is rejected.

(Kishore Kumar Mandal, J)

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