

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49163 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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MUKESH SINGH S/O- SHRI KANT SINGH, RESIDENT OF VILLAGE-
KATHDUMAR, P.S.- BAKHTIARPUR (KANERIA O.P.), DISTRICT-
SAHARSA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : MR. NAFISUZZOHA, ADV.

For the Opposite Party/s : MR. SRI DINESH SINGH, APP.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Petitioner is the husband of deceased Silpi Devi. There happens to be specific allegation against the petitioner to have given repeated Dabia blow over the deceased and then thereafter threw her dead body in a river and during course thereof, there also happens to be presence of other co-accused who happens to be family members.

Learned counsel for the petitioner submits that informant is not an eyewitness to occurrence. FIR has been lodged so many days after the alleged occurrence. It has further submitted that the deceased died of suicide and not of homicide. Furthermore, it has also been submitted that both sons of informant who have been shown to be present at the place of deceased on the eve of 'Upnayan' too did not speak with regard to homicidal death rather they also corroborated suicidal death of the deceased. Furthermore, the learned counsel for the petitioner insisted upon to call for case diary and further tried to encroach upon the order of the court. At the present, it has also been submitted by the learned counsel for the petitioner that some of the



accused has also been granted anticipatory bail.

Learned Additional Public Prosecutor opposed the prayer.

Considering the status of the petitioner in consonance with the allegation, I do see it a fit case for grant of bail to the petitioner. Prayer for bail is rejected.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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