

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7985 of 2016

Arising Out of PS.Case No. -127 Year- 2013 Thana -GAYGHAT District- MUZAFFARPUR

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Hari Kishore Rai Son of Ramdhani Rai Resident of Village-Bharat Nagar,
P.S. Gaighat, District Muzaffapur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 12-05-2016 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner apprehends his arrest in connection
with Gaighat (Benibad O.P.) P.S. Case No. 127 of 2013
registered for offences punishable under Sections
304(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that informant
received a telephonic message that his daughter, Sadhna
Kumari died and to verify the said fact, he reached her
matrimonial house, where she was found lying dead and
froth was coming out from her mouth. It is further alleged
that two months ago, petitioner had demanded a
motorcycle from the informant and had threatened that if

his demand will not be fulfilled, her daughter would be killed. It is alleged by the informant that petitioner had killed his daughter by administering poison due to non-fulfillment of demand of motorcycle.

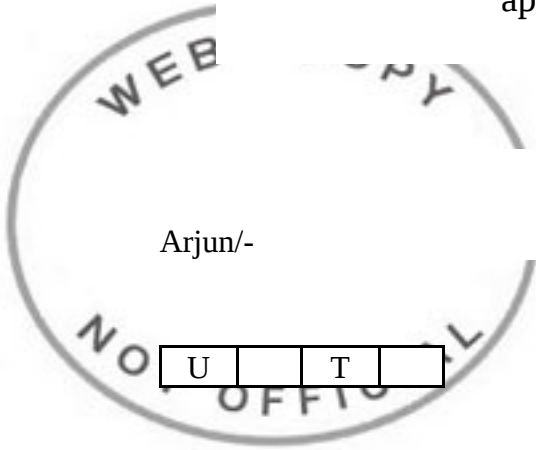
It has been submitted by the learned counsel for the petitioner that petitioner is innocent and no one has killed the deceased, Sadhna Kumari, rather, she was suffering from tuberculosis and died, as she had taken expired medicine. It has further been submitted that the informant, father of the deceased has also filed an affidavit to that effect.

However, learned A.P.P. for the State submits that from various paragraphs of the case diary, it appears that petitioner, who is husband of the deceased, Sadhna Kumari, was working as a compounder and had illicit relationship with another girl to which deceased objected time and again due to which deceased has been done to death and, hence, opposes the prayer for bail.

In that view of the matter, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Gaighat (Benibad O.P.) P.S. Case No. 127 of 2013 pending in the Court of Sri A.K. Dixit,



learned Judicial Magistrate 1st Class, Muzaffarpur. This application is, accordingly, rejected.



(Nilu Agrawal, J.)