

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21361 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -MOKAMAH District- PATNA

Manoj Kumar, son of Ganga Mahto, resident of Village - Shivnar, P.S. - Mokama, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate with Mr. Naresh Dass, Advocate.

For the Opposite Party/s: Mr. Jitendra Kr. Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-10-2016

Heard Sri Yogesh Chandra Verma, learned senior counsel for the petitioner, and the learned A.P.P.

The petitioner apprehends his arrest in Mokama P.S. Case No. 36 of 2015 registered under Sections 302, 201, 34 of the Indian Penal Code.

The informant received information that his sister Gita Devi was killed. The informant received a letter written by the deceased in which the deceased had written that Manoj Kumar and Ganga Mahto were responsible for her death. Learned counsel for the petitioner submits that the petitioner is innocent. The supervising authority supervised the case and found the case true under Section 306 of the Indian Penal Code, that too, only against Manoj Kumar. No substantive material was found against Ganga Mahto, who happens to be the father of Manoj Kumar. Manoj

Kumar had illicit relation with the deceased and he did not marry with the deceased; that is why, the deceased committed suicide, but from perusal of the record, it appears that Manoj Kumar had illicit relation with the victim, who had three children, and Ganga Mahto had threatened the victim of dire consequences. The victim was killed and her dead body was concealed. The deceased also wrote a letter stating that Manoj Kumar and Ganga Mahto are responsible for her death. Therefore, the prayer for anticipatory bail of the petitioner was earlier rejected vide order dated 23.11.2015 passed in Cr. Misc. No. 36891 of 2015.

Considering the facts aforesaid, I do not find this case fit for grant of anticipatory bail to the petitioner in Mokama P.S. Case No. 36/2015. Accordingly, once again, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the regular bail of the petitioner without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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