

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27417 of 2017

Arising Out of PS.Case No. -159 Year- 2015 Thana -ARIYARI District- SEKHPURA

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1. ANOJ YADAV @ KRATAY YADAV @ ANUJ YADAV Son of Sri Chandra Yadav, Resident of Village- Rampur, P.S. Ariyari, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in custody since 23.01.2017 in connection with Ariyari P.S. Case No. 159/2015 for offences punishable under Section 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the brother of the deceased, is that his sister Sunita Devi telephoned him 12-13 days back that her husband and in-laws are demanding box and bed as her younger sister-in-law has brought box and bed after marriage. Thereupon the informant received telephonic message from the dewar of the deceased that his sister Sunita Devi is dead.

It has been submitted by the learned counsel for the



petitioner that he is innocent, general and omnibus allegation has been levelled against all the family members and being the husband he has been falsely implicated. He submits that none of the independent witnesses have deposed against him and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that marriage is five years back and the deceased gave birth to a child.

However, learned APP for the State opposes the prayer for bail stating therein that the victim has been found dead and the post mortem report suggests that she died of asphyxia due to throttling. Her body, leg, cheek and wrist have also abrasion marks.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Ariyari P.S. Case No. 159/15, pending in the court of learned S.D.J.M., Sheikhpura.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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