

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17321 of 2017

Arising Out of PS.Case No. -273 Year- 2016 Thana -BEUR District- PATNA

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Sanjay Kumar @ Sanjay Prasad Son of Natho Prasad , Resident of Village-
Sasaur, P.S.- Sarmera, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudhir Kumar, Advocate.

For the Opposite Party : Ms. Reena Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 12-07-2017 Heard both sides.

The petitioner apprehends his arrest in Beur P.S. Case No. 273 of 2016 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant alleged that his sister was married to Rajiv Ranjan Kumar in the year 2008 but after marriage the husband of his sister and other in-laws were demanding dowry and torturing her. The informant further alleged that his brother-in-law informed him to save his sister as his sister have consumed poison then the informant proceeded to PMCH but he did not find anybody. The informant got information that the dead body of his sister was taken to Baans Ghat for cremation. On enquiry, the six year old child of the deceased told that Rajiv Ranjan Kumar, the



husband of the deceased assaulting the deceased since morning and strangulated her to death.

Learned counsel for the petitioner submits that the petitioner is elder brother-in-law of the deceased. There is no allegation against the petitioner. From perusal of the FIR, itself, it would appear that son of the deceased has very categorically stated before the informant that it was the husband who had assaulted his wife, the deceased and strangulated her to death. Similarly situated co-accused have already been enlarged on bail.

Learned APP however vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the neighbour disclosed that the petitioner also assaulted the deceased but from perusal of the case diary it appears that the neighbour came to know that the petitioner was also assaulted the deceased but he did not disclose the source of information.

It appears that the son of the deceased disclosed before the informant that it was the husband of the deceased who assaulted her and strangulated her to death, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in Beur P.S. Case No. 273 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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