

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44782 of 2016

Arising Out of PS.Case No. -375 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

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1. Deepak Tiwari, son of Veer Mangal Tiwari, resident of village-
Chandwa (Ara) P.S. - Ara, Nawadan District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 21-02-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Ara Nawada
P.S. Case No.375 of 2016 instituted for the offence under
Section(s) 302, 328 Indian Penal Code pending in the Court of
the Chief Judicial Magistrate, Bhojpur at Ara.

The petitioner is husband of the deceased. It is said
that the petitioner had illicit relationship with another girl, which
was opposed by the deceased for which she was tortured. The
Informant got information on 19.05.2016 that his sister is
hospitalized whereafter he reached the hospital and his sister died
in course of treatment.

Case diary has been received.

The learned APP has submitted that the witnesses in



para 3, 4, 5, 6, 10 and 11 have stated about illicit relationship of the petitioner with another girl for which there was always altercation between the deceased and the petitioner and she died due to poisonous substance. The doctor in the Post Mortem Examination Report has also stated cause of death to be suspicious poisoning.

It has been submitted on behalf of the petitioner that the informant of this case has filed compromise petition in the Court below. It is said that he has filed the case due to suspicion.

From the allegation in the written report and the materials available in the case diary as well as in the Post Mortem Examination Report, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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