

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33165 of 2017

Arising Out of PS. Case No.-25 Year-2017 Thana- GAMAHARIYA District- Madhepura

Sintu Kumar Son of Bijendra Yadav, R/o Village- Manahara Sukhasan, Ward No.4, P.S.- Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 14-09-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 19.02.2017 in connection with Gamharia P.S. Case No. 25 of 2017 pending in the Court of learned Additional Chief Judicial Magistrate-IV, Madhepura registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that her daughter, Punam Devi was married to the petitioner four years back and was always beaten at her matrimonial house where she stayed for few months and thereafter returned to her parental house where the petitioner used to come often. On 08.02.2017, petitioner was at the parental house of the deceased and at 03:30 A.M., she went for natural call out side and in the



morning petitioner was found sleeping in the room and the deceased was found dead at 500 yards away from the house. The petitioner confessed his guilt.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that there is no eye-witness to the alleged occurrence and just because he is husband of the deceased, he has been made accused in the present case. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner has confessed his guilt before the villagers.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage. This application is, accordingly, rejected.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

