

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37414 of 2017

Arising Out of PS. Case No.-85 Year-2017 Thana- MUFFASIL District- West Champaran

Pintu Kumar Son of Bhikhari Sah, Resident of Village- Lalgargh, Police
Station-Bettiah Muffasil, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. SRI SANJAY KUMAR

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 30-10-2017 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Bettiah Muffasil P.S. Case No. 85 of 2017 registered for the offence punishable under sections 376, 304, 314/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that during the lifetime of deceased no complaint was made by any one. There is no any material available on the record for either pregnancy or abortion or any complaint ever by Banty Kumari in the matter. Petitioner has been falsely implicated in this case due to admitted land dispute. Parties are agnates. Petitioner has no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is direct allegation against



this petitioner. Materials have come during investigation to suggest complicity of this petitioner in the alleged offence. Moreover, the girl was minor. As such, petitioner does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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