

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40790 of 2017

Arising Out of PS. Case No.-81 Year-2013 Thana- SARAIYA District- Muzaffarpur

Shambhu Kumar @ Shambhu Paswan, S/o Jagdish Paswan, Resident of
Village-Pokhraiya, P.S.-Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. SRI ARUN KUMAR SINGH -5

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 29-11-2017 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Saraiya
(Jaitpur O.P.) P.S. Case No. 81 of 2013 registered for the offence
punishable under sections 498A, 323, 304B, 506, 201 of the
Indian Penal Code.

Learned counsel appearing for the petitioner submits that
petitioner is the husband of the deceased. On the alleged date of
occurrence petitioner was in Delhi and as soon he got
information regarding burning of his wife he rushed and came to
Patna. As a matter of fact, the deceased caught fire accidentally
while cooking food. She was taken to hospital, however she
could not survive.

Learned Addl. P.P. appearing for the State opposes the
prayer for bail and submits that the plea of alibi taken by the



petitioner is still to be verified during investigation/trial. There are specific allegations against this petitioner who being the husband was very much responsible to maintain and keep his wife with full honour and dignity in which he failed. During investigation witnesses have supported the prosecution case. Moreover, charge-sheet has been submitted in this case showing this petitioner as absconder.

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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