

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6435 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -RISHIUP District- AURANGABAD

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Rakesh Kumar Kushwaha, S/o Ganga Prasad Kushwaha, R/o Village
Risiup, P.S.Risiup, District-Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 28-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Risiup P.S. Case No. 64 of 2017 registered under Sections
304(B)/201/120B of the I.P.C. pending in the Court of C.J.M.,
Aurangabad.

Submission is that the alleged occurrence is of
07.08.2017 and the first information report is lodged on
06.09.2017 i.e. after lapse of one month. There is no specific
allegation against the petitioner.

Learned A.P.P. appearing on behalf of the State
vehemently opposed the prayer of the petitioner by contending
that there is direct allegation against the petitioner. Further



submission is that petitioner, being the husband, has full responsibility to search his deceased wife. He did not take notice of his wife during the said period. Hence, he does not deserve anticipatory bail.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, prayer of the petitioner is rejected.

(Arvind Srivastava, J)

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