

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28271 of 2018

Arising Out of PS.Case No. -290 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Raju Sahani S/o late Duldul Sahani R/o Village Lohagawan, P.S.
Mahduban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 201 and 304B of the Indian Penal Code in connection with
Madhuban P.S. Case No. 290/2016.

Allegation against the petitioner, who happens to be
the husband of the deceased, that he killed the deceased and
cremated the dead body.

Submission of the learned counsel for the petitioner
is that there is delay in lodging the F.I.R. and moreover, the
informant had been informed about the death and he had also
participated in the cremation, but on the instigation, at a belated



period the case was lodged.

Heard learned Additional Public Prosecutor also, who has opposed the prayer for bail of the petitioner.

Considering the nature of allegation levelled against the petitioner, who happens to be the husband of the deceased, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the same is rejected.

However, if the petitioner surrenders before the court below and prays for regular bail, his prayer shall be considered on the merit of the case without being prejudiced by this order.

(Vinod Kumar Sinha, J.)

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