

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48538 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

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Shasi Bhushan Bharti @ Shasi Yadav S/o Diwakar Prasad Bharti, R/o Vill.-
Sahebganj, P.S.- University, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons caused death of the deceased due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. Except suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye



witness to the alleged occurrence.

On behalf of the State , it is submitted that the petitioner is named in the F.I.R. In paragraphs-57 & 69 of the case diary, it has come that the petitioner had illicit relation with the deceased. She was subjected to blackmail by the petitioner. Hence she is said to have committed suicide.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Ishakchak P.S. Case No. 59 of 2018 is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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