

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33435 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- FATUHA District- Patna

Vikash Kumar S/o Sri Shiv Shankar Sao @ Shiv Shankar Prasad, R/o Vill.-
Govindpur, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-08-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

Petitioner apprehends his arrest in Fatuha P.S. case no.
130 of 2018 instituted for the offence under Section(s) 304(B),
201/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is husband of the deceased.

In the written report, it is alleged that sister of the
informant was married with this petitioner in the year 2009. She
always complain that she was tortured in her 'Sasural' by this
petitioner and other family members for demand of dowry. It is
further alleged that on 11.3.2018 elder sister of the informant
informed that something has been done by the Sasural people
with the deceased. The informant went to the Sasural and did



not find the deceased and her family members in the house. He learnt that she has been killed and her dead body has been taken away. The informant learnt that one dead body was kept in N.M.C.H. Thereafter, the informant went to N.M.C.H and identified the dead body of his sister.

Learned counsel for the State as well as informant have opposed the prayer for bail and has submitted that in the postmortem report doctor has opined the cause of death due to asphyxia caused by pressure on neck by ligature and hard blunt force. The counsel for informant has further submitted that in paragraph no.6 of the case diary witness has levelled specific allegation against this petitioner of committing murder of the deceased by pressing her neck along with other accused persons.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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