

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23119 of 2018

Arising Out of P.S.Case No. -261 Year- 2016 Thana -PUPRI District- SITAMARHI

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Md. Sadrul S/o Late Md. Daud Resident of Village- Bachharpur, P.S
Pupri,District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 20-06-2018

Heard.

The petitioner apprehends arrest in connection with
Pupri P.S.Case No.261 of 2016 registered for an offence under
Section 302 and other Sections of the IPC.

The case was registered against unknown on the written
report of the widow of the deceased. The matter was investigated
and in course of investigation, the complicity of the informant
(wife of the deceased) her sons and this petitioner surfaced. This
petitioner is brother-in-law of the deceased and brother of the
informant.

The contention of learned counsel for the petitioner is
that except suspicion there is nothing against the petitioner. There
is no eye witness to the occurrence and the case was registered



against unknown. The name of the petitioner has been divulged by the person hostile to him with ulterior motive.

Learned counsel for the State on the other hand referred para-9, 10, 25, 26, 27 and 28 of the case diary, wherein the witnesses have stated about the complicity of the petitioner. The motive behind the occurrence has been alleged that the petitioner and co-accused had motive to take property and money which the deceased had earned from cattle business. The anticipatory bail prayer of this petitioner has already been rejected by this Court on 17.10.2017 in Cr.Misc.No.39809 of 2017. The police have submitted chargesheet against the informant and one of her son on 31.01.2017 for the offence under Sections 363, 302, 201 and 120B/34 of the IPC and kept further investigation pending against the petitioner.

In the facts and circumstances of the case, I am not inclined to reconsider his prayer for anticipatory bail and is accordingly dismissed.

(Sanjay Kumar, J)

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