

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22135 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -PHULWARI District- PATNA

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Danish Khan, S/o Akhtar Khan, R/v- Balidad, P.S.- Mehandia, Distt.-
Arwal (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is an accused in a case registered for
offence under Sections 304B, 120B and 201 of the Indian penal
Code.

It is submitted by the learned counsel for the
petitioner that the petitioner is not the husband of the victim and
that he has been falsely implicated in this case, which is actually
the case of suicide as suggested by the postmortem report. He also
submits that co-accused Chhotu Sao has been allowed bail in Cr.
Misc. No.52667 of 2017. There is specific allegation against the
petitioner of being the husband.

The death of the victim is unnatural and the



allegation suggests that on 27.2.2017, the petitioner has taken her away. Thereafter, on 28.2.2017, the dead body has been found near at Phulwarisharif Oil Depot.

Considering the aforesaid allegation and in view of the fact that the allegation against Chhotu is different from that of the petitioner, who is said to be the husband and would primarily be responsible, this Court is not inclined to grant bail to the petitioner for the present. The prayer for bail of the petitioner is rejected.

(Madhuresh Prasad, J)

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