

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53043 of 2018

Arising Out of PS. Case No.-171 Year-2018 Thana- ARA NAGAR
District- Bhojpur

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Ankit Kumar S/o Baban Singh, R/o Vill.- Sundar Nagar, Purani
Police Line, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 29-10-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Ara Town P.S. Case No. 171 of

2018 dated 21.03.2018 instituted for the offences under

Sections 302/34 of the Indian Penal Code.

The F.I.R has been registered by the brother of the

deceased who has alleged that the deceased had married

one Shilpa Singh for the second time and aforesaid Shilpa

Singh used to extort money from her husband (brother of

the deceased). On the day of the occurrence, the informant

claims to have been informed on telephone by one of the

family members of Shilpa Singh that the brother of the



informant (deceased) is ill. The informant then has stated to have visited the hospital where he found his brother dead. Because of this background, the informant has raised suspicion against the wife of the deceased and her other family members including the petitioner who is the brother of the wife of the deceased.

The learned counsel for the petitioner has submitted that the entire family members of Shilpa Singh have been made accused in this case with an ulterior motive. Because of the deceased not being accorded proper share in the family property, he was staying along with his wife in a rented accommodation. With the death of the deceased, an attempt was made, it has been argued, by the informant and his other family members to avoid sharing the family property with the wife of the deceased. It is with this purpose in mind that the entire family members of the second wife of the deceased have been made accused in this case. No tangible material however could be collected during the course of investigation. The prosecution/accusation against the petitioner hinges only a suspicion and inference



drawn by the informant.

Considering the aforesaid facts, the petitioner, above named is directed to be released on bail in the event of his arrest or surrender before the learned Court below within a period of four weeks from today and on his furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 171 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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