

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11785 of 2019**

Arising Out of PS. Case No.-816 Year-2018 Thana- MOTIHARI TOWN District- East  
Champaran

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SUSHIL KUMAR @ SHUSHIL SINGH @ SAGAR SINGH Son of  
Chandramani Prasad Singh Resident of Gali No.- 2, Ward No. 7,  
Raghunathpur, Police Station- Raghunathpur O.P. and District - East  
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.  
Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      29-04-2019                      This application, for grant of anticipatory bail, arises out  
of Motihari Town P.S. Case No. 816 of 2018, disclosing offences  
under Sections 302, 120(B), 201 and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that informant receive  
information that his younger daughter, who was studying in  
Motihari has died, on which, he along with other family members  
proceeded to Motihari and in the way, petitioner met him and  
informed that his sister committed suicide by hanging herself,  
thereafter, the petitioner suspected the hands of the petitioner and  
others in the death of his sister.

Submission of learned senior counsel for the petitioners  
is that he has falsely been implicated in this case and it was the  
petitioner, who helped the sister of informant in getting the house



on rent and it is him, who informed to the informant about her death and petitioner has no role to play in the occurrence and in fact she committed suicide by hanging herself.

Learned counsel for the State opposed the prayer for bail and submitted that materials collected during course of investigation shows that there was consistent talk between the petitioner and the deceased on phone and on the date of occurrence also, they had a talk over the phone and the C.D.R. details and disclosed the location of the petitioner near the rented house of the deceased and further the postmortem report shows that the cause of death is asphyxia due to strangulation.

Having heard both sides, considering the facts and circumstances and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

**(Vinod Kumar Sinha, J)**

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