

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17412 of 2019**

Arising Out of PS. Case No.-991 Year-2016 Thana- BANKA District- Banka

SANJIV YADAV Son of Sri Chunnilal Yadav Resident of Village - Manyark,
Police Station - Shahkund, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Shailendra Kumar

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

4 14-05-2019 This application, for grant of anticipatory bail, arises
out of Banka P.S. Case No. 991 of 2016, disclosing offences
under Sections 302/34 of the Indian Penal Code.

Allegation as per F.I.R. that the deceased after sending
her son to the school never turned up to her house and on
18.12.2016 her dead body was recovered by the police. It is
alleged that some unknown persons have killed her by sharp
cutting weapon.

Submission of learned counsel for the petitioner is
that he has no criminal antecedent and he has been made
accused in this case only on the basis of suspicion and except
that there is nothing against the petitioner and further no motive
has been assigned to the petitioner to commit such an offence.

Learned counsel for the State drawing my attention



towards paragraph 35, 36, 151 and 152 of the case diary opposed the prayer for bail and submitted that the petitioner was seen along with the deceased and, thereafter, her dead body was found.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may move before the court below and make prayer for regular bail, which will be dispose of 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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