

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30838 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- SIKARPUR District- West Champaran

SUDARSHAN YADAV Son of Bagar Yadav Resident of Village - Akhwan
Jamuniya, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Shikarpur P.S.Case No.354 of 2018 registered for offences punishable under Sections 498(A) , 323, 504, 494/34 of the Indian Penal Code.

Allegation against the petitioner is that he was married with informant, Suman Devi and there was a child born with the above marriage also but she received paralytic attack and after that her husband and in-laws started torturing her with respect to demand of Rs.05 lac and also performed second marriage of the petitioner with another lady and thereafter a *panchayati* was convened and in the *panchayati*, the accused persons agreed to keep her but later on he received information that she was brutally beaten and when sister of the informant



went to her *Sasural* and asked about his sister they informed that she was admitted in Kanke Mental Hospital .

Submission of the learned counsel for the petitioner is that the petitioner was also made accused in this case only because her father has not executed sale deed with respect to 03 kathas of land as decided in the *Panchayat* and the other allegations are false and concocted as well as they have admitted her in the mental hospital at Kanke and from there also the informant brought her back and she died in his house for that he has filed a Complaint case against the informant and others under Section 302 of the IPC.

Heard learned A.P.P. and the learned counsel for the informant.. They have opposed the prayer for bail stating that the statement of the deceased wife in Para 22 supports the prosecution allegation and she was admitted in the mental Hospital without informing her parents and when the informant came to know about the same, he brought her back. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may surrender before the learned court below and pray for regular bail which will be considered on its own merit.



With the aforesaid direction, this application is
dismissed.

(Vinod Kumar Sinha, J)

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