

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28062 of 2019

Arising Out of PS. Case No.-256 Year-2000 Thana- NARPATGANJ District- Araria

SURENDRA YADAV Son of Durmil Yadav Resident of Village- Posdaha,
P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-08-2019 The petitioner apprehends his arrest in connection with Narpatganj P. S. Case No. 256 of 2000 registered under Sections 302 and 498A/34 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that the sister of the informant was married to the petitioner but petitioner and other family members used to torture the informant's sister for demand of dowry and on 27.12.2000, Dhurmil Yadav, father-in-law of the deceased informed the informant that his sister was missing from her house and when the informant went to house of father-in-law of deceased, he found that his sister was lying in unconscious condition near a canal and foul smell was coming out from her mouth. The informant has alleged that it appears that poison was administered to the deceased.

Mr. Ramesh Kumar Singh, learned counsel appearing on



behalf of the petitioner submits that petitioner has falsely been implicated in this case inasmuch as dead body was found near a canal and not inside the house of the petitioner. Learned counsel further submits that post-mortem report does not show that any external injury was there on the body of the deceased and that she herself consumed poison.

Mr. Akshay Lal Pandit, learned counsel appearing on behalf of the State, submits that FIR was lodged in the year 2000 and charge sheet has been submitted against the petitioner showing him absconder on 30.11.2011 and processes under Sections 82 and 83 have already been issued against the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that charge sheet has been submitted way back in the year 2011 showing the petitioner absconder and process under Sections 82 and 83 have been issued, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail to the petitioner is rejected.

(Anil Kumar Sinha, J)

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