

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.75735 of 2018**

Arising Out of PS. Case No.-53 Year-2018 Thana- GAUTAMBUDHNAGAR District- Siwan

Upendra Kumar Yadav @ Upendra Kumar Roy S/o Shankar Rai R/o Village-  
Gohpur, P.S. G.B. Nagar, District- Siwan.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL ORDER**

3      31-01-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 304(B)/34 of the Indian Penal Code registered  
in connection with G.B. Nagar P.S. Case No. 53 of 2018.

3. It is submitted that the petitioner has been falsely  
implicated merely because he happens to be husband of the deceased  
and the petitioner was not present at the time of occurrence. It is  
submitted that the deceased died as a result of her *Saree* being caught  
fire during cooking. It is further submitted that parents of the  
petitioner, namely, Shankar Rai and Ramawati Devi have been  
granted anticipatory bail by a coordinate Bench of this Court vide  
order dated 01.08.2018 passed in Cr. Misc. No. 44684 of 2018. The  
petitioner claims clean antecedents.

4. Having regard to the nature of accusations and gravity  
of offence alleged, this Court is not inclined to grant anticipatory bail  
to the petitioner. The anticipatory bail petition stands dismissed.

5. If the petitioner surrenders and seeks regular bail before  
the learned trial Court the same shall be considered on its own merit



in accordance with law and without being prejudiced by any  
observation in the present order.

BT/-

**(Vikash Jain, J)**

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