

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85274 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- NARPATGANJ District- Araria

1. Om Prakash Singh S/O Late Guni Lal Singh Resident of Village - Bardaha, Ward No. 04, P.S. - Narpatganj, District - Araria.
2. Hemlata Devi W/O Om Prakash Singh Resident of Village - Bardaha, Ward No. 04, P.S. - Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das

For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-03-2020 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case initially registered for the offences punishable under Sections 365/34 of the IPC. Subsequently, Sections 302, 201 and 120B of the IPC was also added, vide order dated 07.07.2019.

The prosecution case, as per the written report of Sabujlal Singh, submitted to the Station House Officer, Narpatganj Police Station, is to the effect that the grand-daughter of the informant, Kanchan Kumari was residing at her maternal grand-parents' house since her parents had died in her early age. On 06.03.2019, the informant came to know that his grant-daughter



is missing since 05.03.2016. Subsequently, he went to the maternal grand-parents' house of the victim, but he could not trace her. Subsequently, it was found that the victim girl had some love affairs with someone and she got pregnant, which was opposed by entire maternal grand-parents' family members of the victim girl, hence she has been killed by all the FIR named accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that except the fact that the petitioner no.1 had participated in the cremation of the dead body of the victim girl, there is no evidence against the petitioner no.1 collected with regard to his involvement in killing of the victim. The name of the petitioner no.2 sprang up during investigation on the basis of statement of Jamuna Prasad Singh, recorded in paragraph no. 14 of the case diary and the investigation is still going on.

Learned APP, after going through the case diary, submits that since the victim girl had some love affairs with someone and she got pregnant, which was opposed by entire grand-parents family members of the victim girl hence she has been killed by all the accused persons including the petitioners. However, he admits that there is no direct evidence collected against the petitioner during investigation.



Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail is rejected and the present application is dismissed in connection with Narpatganj P.S. Case No. 136 of 2019, pending in the Court of learned Chief Judicial Magistrate, Araria.

(Dinesh Kumar Singh, J)

Amrendra/-

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