

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33785 of 2020

Arising Out of PS. Case No.-464 Year-2019 Thana- PAROO District- Muzaffarpur

NIRAJ KUMAR S/o Nawal Kishore Singh R/o village- Usti, P.S.- Paroo,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned APP

for the State.

The petitioner is apprehending his arrest in a case

registered under Sections 323, 504, 304B and 34 of the Indian

Penal Code.

Allegation against the accused persons is of

committing torture and assault and thereafter caused death of

the victim by administering poison.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. There is no

allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. The deceased was earlier married to one Rahul Ranjan. After some time, she instituted a criminal case under Section 498A IPC against the said Rahul Ranjan and his family members. When the petitioner came to know this fact, then he filed a divorce application for declaring the marriage to be null and void. It is further submitted that he had instituted a criminal case also against the deceased for getting the marriage solemnized with the petitioner by suppressing the fact that she was already married to someone else. From perusal of the order of Sessions Court, it appears that the deceased is said to have committed suicide. At best, it is a case for an offence under Section 306 IPC. No offence under section 304B IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -III,



West, Muzaffarpur in connection with Paroo P.S. Case No.
464/2019, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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