

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7222 of 2022

Arising Out of PS. Case No.-164 Year-2021 Thana- SAKRI District- Madhubani

AKHILESH JHA S/o Late Dayanath Jha @ Dayanand Jha Resident of
Village- Birsair, P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 304(B) and 34 of the Indian Penal Code.

The informant alleges that his daughter Baby Devi @ Bibha Jha was married to the petitioner about 11 years ago and after marriage his daughter lived properly for sometime and gave birth to a child who presently is aged about nine years, it is next alleged that the petitioner was doing a private job at Indore and was staying with his elder brother Revant Jha, further alleges that petitioner was having illicit relationship with Namrata Jha @ Pappy, wife of Revant Jha and used to spend all his earnings on her which was opposed by the deceased and on



account of a dispute, the accused persons, including the petitioner, tortured and assaulted the deceased and even ousted her from the matrimonial home and thus the deceased came to her paternal home, it is next alleged that one week before the occurrence the deceased had gone to her matrimonial home at Birsair on the information of illness of her mother-in-law and the informant was informed that his daughter committed suicide by hanging.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that from perusal of the allegation it would manifest that the deceased was staying at her parental home as such she was not staying with the petitioner, it is also submitted that the deceased had never came to her matrimonial home but to make out a case the present false allegation has been alleged alleging that she came to her matrimonial home on hearing the illness of her mother-in-law. Learned counsel submits that the husband was staying at Indore and was not staying with his mother at Birsair.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the dead body was found in the matrimonial home of the deceased thus it



cannot be said that petitioner had no role in committing the occurrence, it is also submitted that the ante-mortem injuries on the body of the deceased were also found and even the impugned order records that during the course of investigation evidences are there in the case diary which connects the petitioner with the offence.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend privilege of anticipatory bail to the petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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