

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23231 of 2022

Arising Out of PS. Case No.-630 Year-2020 Thana- KHAJANCHI HAT District- Purnia

SHAILESH KUMAR son of Sri Ajay Kumar Resident of Village -
Bhawanpur, Police Station- Tekari, District – Gaya. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with K. Hat (Sahayak) P.S. Case no. 630 of 2020 instituted for the offence under Sections 304(B) and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner is husband of the deceased and she was being subjected to torture and harassment by various ways and ultimately petitioner has killed her at the instance of his family members.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the deceased and has been falsely implicated in this case. Deceased was a very short tempered lady. Due to some hot talk with the deceased and



petitioner, she committed suicide by hanging herself in a bolted room from within. Information of her suicide was given to her parents by the petitioner.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is husband and he is responsible to take care of his wife. Prior to death of the deceased, she had written a letter of which she had taken a snap in her mobile which the informant found ten months after her death. Earlier UD case was filed but after having come to know about the fact from the letter of mobile, she had filed the present FIR against the petitioner. In the said letter deceased had expressed apprehension about her murder. Warrant proceeding of Sections 82-83 of the Cr.P.C. has been issued against the petitioner.

Having heard learned counsel for the parties and taking into consideration that doctor has opined the cause of death due to Asphyxia as a result of hanging, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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