

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25204 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- DUMRA District- Sitamarhi

=====

Pankaj Kumar Son Of Ram Karan Ray Resident Of Village - Vishwanathpur,
Ward No.- 2, P.S.- Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 306/34 of the Indian Penal Code.

It is alleged by the informant that co-accused

Khushboo Kumari is the wife of his uncle Manoj Rai,

deceased in the present case. It is alleged that his aunt

has illicit relation with the petitioner and when his

deceased uncle objected and restrained his wife, she

used to fight with him. On the alleged date of

occurrence, the petitioner and co-accused Khushboo



Kumari met and when the deceased objected, co-accused Khushboo Kumari instigated him to commit suicide, as a result of which, the uncle of the informant committed suicide.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is nephew of the deceased and in the background of some land dispute, this false case has been registered against the petitioner. As per F.I.R, the petitioner has not instigated the deceased to commit suicide.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that there is direct allegation against the petitioner that he had illicit relationship with the wife of the deceased and out of anger and frustration, the victim committed suicide. The postmortem report also corroborates the prosecution case. The independent witnesses have also



supported the case of the prosecution.

In the facts and circumstance of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

The petitioner is directed to surrender before learned Court below and pray for regular bail. The prayer for regular bail of the petitioner may be considered by the learned Court below without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

