

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46980 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- PALANWA District- East Champaran

SHAMBHU DAS Son of Hari Das, Resident of Village- Ashram Road, P.S.-
Raxaul, Ward No. 9, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 06-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Palanwa P.S. Case No. 07/2021 registered for offence
punishable under sections 302 and 201 of the Indian Penal
Code.

As per prosecution case, the informant, who is
Chowkidar, got an information that dead body of a lady was
lying in cane field. The informant went there and saw her dead
body. He noticed that the throat of the dead body was found slit



by sharp edged weapons.

The husband of the deceased and the present petitioner, who is father-in-law of the deceased, have been arrayed as accused.

During the course of investigation, it was detected that the son of the petitioner solemnized marriage with the deceased, after kidnapping her. The father of the deceased has lodged a case against the petitioner and the husband of the deceased.

The learned counsel for the petitioner has submitted that the son of the petitioner has furnished his confessional statement, in which he has also stated the complicity of the petitioner in the alleged murder. Except confessional statement of co-accused Deepak Das, there is no material in the case diary.

On the other hand, the learned APP has submitted that Deepak Das has given vivid description of murder of the deceased and he has stated that he along with the petitioner slit the throat of the deceased and killed her. The learned APP has also submitted that the independent witnesses in paragraph nos.68 and 69 of the case diary, have stated that prior to murder of the deceased, the petitioner and his son were inflicting atrocities on the deceased and they used to assault her.



The investigation is still continuing in this case.

Considering the above-mentioned facts and circumstances, in my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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