

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62006 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- JAKKANPUR District- Patna

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ABHISHEK KUMAR S/o Late Ganesh Prasad R/o Mohalla- Chandpur Bela,
P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Adv.
Mr. Arvind Prasad Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married to the petitioner. It is stated that the son-in-law of the informant ie the petitioner informed that his daughter has died as a result of vomiting. The informant states that he is convinced that his daughter has been killed by the accused persons including the petitioner herein.

It is submitted by learned senior counsel appearing for



the petitioner that the petitioner has been falsely implicated in the case for the reason of his being the husband of the deceased. From the F.I.R. itself, it would be evident that information was given to the informant and others who came and participated in the cremation and it was only subsequently as an afterthought that the instant F.I.R. has been registered. In the post-mortem examination, no external injury has been found on the body of the deceased. The deceased and the petitioner have two children out of the wedlock and their relationship was cordial. The petitioner is in custody since 1.3.2021 and chargesheet has been submitted in the case. He has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that in the F.S.L. report with respect to the green coloured fluid found in the stomach of the deceased it states that the deceased died as a result of consumption of Celphos.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the material that has transpired in course of investigation and petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



In the facts of the case, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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