

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68173 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- ARA RAIL P.S. District- Bhojpur

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BHUVNESHWAR YADAV @ BHUNESHWAR YADAV S/o Late Kamata Prasad Yadav R/o Village - Dhandiha, P.S. - Koilwar, District - Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302, 201 of the Indian Penal Code.

As per the prosecution case, while the informant was on patrolling duty, this petitioner was seen keeping a dead body of a lady on railway track and when the informant reached there Rajdhani express train crossed the track and both legs of dead body was cut. Thereafter, this petitioner was apprehended, who disclosed that he had gone to Ara for treatment of his wife and while they were returning in a lonely place he pressed the neck of his wife, who subsequently died.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. It is submitted there is no eye witness of the occurrence and except suspicion there is no material against this petitioner. It is a case of accidental death. Petitioner claims clean antecedent and is in custody since 06.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that from bare perusal of the FIR it would apparent that this petitioner committed the murder of his wife and tried to throw the dead body on railway track in order to prove the death as accidental death.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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