

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23499 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- PATAHI District- East Champaran

MITHU SAH SON OF BRAHMDEO SAH R/O- VILLAGE- SARIYA
GOPAL, P.S.- PATAHI, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 02-02-2023 Heard Mr. Radha Mohan Singh, learned counsel for
the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Patahi P.S. Case No. 158 of 2021/GR. Case No. 4988 of 2021 for the offence registered under Sections 302 and 34 of the Indian Penal Code.

As per the prosecution story, the informant, a 'chowkidar' when reached Sariya Gopal, he was informed by the villagers that the petitioner and others have killed Rinku Devi. Accordingly, the informed the SHO and the police team came, the deceased was taken and thereafter, Inquest Report and Post-mortem were done. As none from her family members came forward, the present FIR was lodged by him.

Learned counsel for the petitioner submits that the



family members chose not to lodge FIR and that is good alibi to show that the petitioner in no way was involved in the said killing of the lady, who was his wife.

Per contra, learned APP submits that the lady was killed, the petitioner was the husband and his action is suspicious inasmuch as he took no steps after the death of his wife or chose to inform the police.

Taking into account the aforesaid facts, this Court finds force in the submissions put forward by the learned APP, no case for anticipatory bail is made out, which is accordingly rejected.

(Rajiv Roy, J)

Jagdish/Neha/-

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