

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41194 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- ISMAILPUR District- Bhagalpur

BINDESHWARI KAPRI Son of Late Kallar Kapri Resident of village -
Chhoti Parbatta, P.S. - Ismailpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Ismailpur P.S. Case No. 163 of 2022 for the offence under Sections 363, 364 and 365/34 of the Indian Penal Code and Section 302 of the I.P.C. lodged on 12.12.2022 by the informant, Soni Devi.

As per the prosecution story, the lady has alleged that while returning home, her husband disappeared. She further alleged that earlier her son was killed for which Ismailpur P.S. Case No. 30 of 2020 was registered and the accused persons were extending threat not to pursue with that trial and as such she has strong suspicion that this petitioner killed her husband. Accordingly, the F.I.R.

As per the learned Sessions Judge observation, the



petitioner was found to be present at the spot when the husband of the informant was kidnapped.

Considering the aforesaid facts that has come in the learned Sessions Judge order as also that he has criminal antecedent, this Court, for the present, is not inclined to grant him privilege of bail, which is accordingly rejected.

(Rajiv Roy, J)

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