

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56168 of 2023

Arising Out of PS. Case No.-218 Year-2023 Thana- GHOSI District- Jehanabad

1. MITHLESH SHARMA Son of Late Udeswar Singh Resident of Village-Dhuriyari, P.S.-Ghoshi, District-Jehanabad.
2. BIMLESH KUMAR @ CHHOTU @ SAGAR KUMAR Son of Mithlesh Sharma Resident of Village-Dhuriyari, P.S.-Ghoshi, District-Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Gajendra Kumar Singh
For the Opposite Party/s :	Mr.Anil Kumar
	Mr.Ankit Katriar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code.

3. It is alleged that in the night of 01.04.2023, wife of the informant was assaulted and killed by strangulation. It is further alleged that in the night of incident the deceased had informed the informant on mobile at about 8.30 hrs. that petitioner no. 2 reached at her house and threatened her to kill, whereupon, the informant assured that he was coming and again at about 10.30 hrs, the informant tried to call on mobile, but it



was not received by his wife. Thereafter, when he reached, he found his wife lying dead and blood was oozing out from her body. The informant suspected that at the instance of petitioner no. 1, petitioner no. 2 alongwith some unknown persons had killed his wife by strangulation and assaulting.

4. It is submitted on behalf of petitioner that as per F.I.R. itself, informant is not eye-witness to the alleged occurrence and only on suspicion, petitioner has been made accused in this case.

5. However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition and submitted that petitioner is named in the F.I.R. and the deceased, prior to the incident, had already alleged against petitioner no. 2 that he came to her house and threatened her with dire consequences and thereafter, alleged incident took place.

6. Considering the same, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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