

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8949 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- LODIPUR District- Bhagalpur

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Brajesh Kumar @ Brajesh Kumar Yadav @ Brajesh Yadav S/O Adhik Yadav
R/O Village- Bishanpur, Jichho, P.S- Lodipur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

Mr.S.M.Ashraf, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 498(A), 328, 302 and 34 of the Indian Penal Code.

3. As per prosecution case, daughter of the informant was married with this petitioner in the year 2010 and after the marriage, she was subjected to torture and harassment. On 22.04.2023 at about 5:00 PM, the informant received an information that her daughter has been killed by this petitioner and other co-accused persons by giving her poison.

4. Learned counsel for the petitioner submits that petitioner is husband of the deceased and has been falsely implicated in this case. F.I.R. has been lodged only on suspicion. In fact, the deceased herself committed suicide by consuming



poison and when it came to knowledge of petitioner, he admitted her in hospital for treatment, but she died. He further submits that F.I.R. has been lodged after a delay of about 20 days and there is no plausible explanation of delay. Prior to the present F.I.R., the father of the deceased had lodged Lodipur P.S. Case No. 73 of 2023, in which there was no such allegation and only in order to harass and extort money, this false and concocted case has been lodged. Police, after investigation, submitted chargesheet under Section 306 of the I.P.C.

5. However, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. and there is specific allegation that he alongwith others killed the daughter of informant by poisoning. During investigation, daughter of the deceased has stated that her father forcibly administered poison to her mother.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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