

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33371 of 2024

Arising Out of PS. Case No.-569 Year-2023 Thana- RAJAON District- Banka

Kailash Kumar @ Kailash Sharma son of Ajay Sharma @ Ajay Tanti Village-
Ramchandrapur,P.O.-BHADARIYA P.S.- Amarpur, Dist-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murlidhar Mishra, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in
Rajaun P.S. case No. 569 of 2023 registered under Section
306/34 of the Indian Penal Code.

3. The prosecution allegation, in short, is that the
daughter of the informant died and the informant suspects
that the accused persons after hatching conspiracy gave
poison to the daughter of the informant due to which he
died in course of treatment.

4. It has been submitted on behalf of the petitioner
that the petitioner is innocent and has falsely been
implicated in this case. The petitioner has got no criminal



antecedent. The present is a case of love affairs and the deceased committed suicide as her parents were not agreeable to her marriage with the petitioner. Except for general and omnibus allegation and the statement of the informant, there is nothing alleged against the petitioner. There is no any overt act alleged against the petitioner. During the course of investigation, nothing adverse had come against this petitioner. Learned counsel for the petitioner further submits that no case of abatement is made out against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the petitioner is named in the F.I.R. The allegation of abatement is against the petitioner and as such, he does not deserve anticipatory bail.

6. Considering the nature of allegation and gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner. The prayer is rejected.

7. The petitioner is directed to surrender in the Court below and seeks regular bail. If any such application is filed before the Court below, the same shall be considered



on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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