

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65218 of 2023

Arising Out of PS. Case No.-308 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

BINDESH MISHRA @ BINDESHWAR MISHRA @ BINDESH KUMAR
MISHRA SON OF SIDH NATH MISHRA @ SIDHANT MISHRA
VILLAGE- DHANAUTI @ DHANAURI, PS- CHARPOKHARI, DIST-
BHOJPUR (ARA)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. Moli Devi So called W/o Bindeshwar Mishra @ Bindesh Mishra R/o
Dhanaut, P.s. - Ara, Distt. - Ara, Presently B.S.R.T.C., Laheriasarai, P.s. -
Laheriasarai, Distt. - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks anticipatory bail in
connection with Laheriyasarai P.S. Case No. 308 of 2023
registered for the offence under Sections 341, 323, 354B, 307,
328, 511, 120B, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is
accused of administering poison to the victim and also is
accused of assaulting the victim.

4. It has been submitted by the learned counsel for
the petitioner that the informant is not the wife of the petitioner



but and she is married from before and there is no legal marriage between the parties.

5. Learned APP for the State has vehemently opposed the prayer of the petitioner.

6. I have considered the submission of the parties.

7. From the FIR, it appears that the victim was assaulted by the petitioner, one Chote Kumar and one unknown persons. The police was called and the police got the victim admitted in the hospital and the petitioner had fled away.

8. Even if, the petitioner is not the husband of the victim, he was in live-in relationship with the victim and if he has tried to kill the victim then he is not entitled for anticipatory bail.

9. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner.

10. Accordingly, this application is dismissed.

11. The petitioner is directed to surrender and pray for regular bail.

(Sandeep Kumar, J)

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