

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65524 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- MURLIGANJ District- Madhepura

Santosh Kumar Son Of Late Devendra Prasad Yadav Resident Of Village -
Khari, Rahta Tola, Ward No.11, Police Station - Murliganj, District –
Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioner, Mr. Shailendar Kumar and Mr. Shardanand Mishra, learned counsel appearing on behalf of the informant as also Mr. Bharat Bhusan, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Murliganj P.S. Case No. 47 of 2023 for the offence registered under Sections 302, 120(B) of the Indian Penal Code lodged on 04.02.2023 by the informant, Nasivlal Yadav.

3. As per the prosecution story, the informant has alleged that his sister-in-law (bhabho) was assaulted and killed by his own son, Santosh Kumar and his wife Rubi Devi as also the brother-in-law namely, Rajeev Kumar (the petitioner herein)



due to domestic dispute.

4. The further allegation is that in 2012, his brother was also killed in which the son and the daughter-in-law namely, Santosh Kumar and Rubi Devi were accused and they were acquitted the said matter relates to Murliganj P.S. Case No. 67 of 2012. Accordingly, the F.I.R.

5. In this case, case diary was called for which has been received and learned A.P.P. straightaway took this Court to Paragraph-13, in which, an eye witness has stated that upon alarm, they went to the place of the petitioner and found that the deceased and this petitioner are arguing on some point. As the deceased went to fetch water in the *angan*, this petitioner threw her on the ground and with the help of *kachiya* her neck was slit. So far as the petitioner's wife, Rubi Devi is concerned, the witness has stated she was not present in the home. The same statement has been given by one Ravi Shankar Kumar.

6. Direct allegation is against this petitioner that he killed his own mother on some petty issue, in the full public view after an argument took place between them.

7. Considering the aforesaid allegation that has come against the petitioner who saw the light of this world only due to the deceased lady, no relief can be granted.



8. Accordingly, the anticipatory bail application stands
rejected.

(Rajiv Roy, J)

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