

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77561 of 2023**

Arising Out of PS. Case No.-201 Year-2023 Thana- KHAIRA District- Jamui

VIKASH KUMAR @ VIKASH SAH son of Masudan Sah Village- Amari Ps-
Khaira Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Adv.
For the Opposite Party/s : Mrs. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Khaira P.S. Case No. 201 of 2023 dated 06.05.2023 registered for the offences punishable u/ss 302, 328, 323 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant got marriage of his sister solemnized with the petitioner about 14 years back. After the marriage, the petitioner started abusing and assaulting the deceased. The petitioner has illicit relationship with a girl of different community. It is further alleged that the petitioner and the co-accused persons have killed the informant's sister by administering poison to her.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner neither demanded any dowry nor tortured the



informant's sister. The petitioner is the husband of the deceased who used to live in Bangalore for his livelihood. He is a labourer. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the petitioner is the husband of the deceased who committed murder of the informant's sister. The petitioner has illicit relationship with a girl of different community.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail and the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

The application stands rejected.

(Chandra Prakash Singh, J)

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