
(2020) 10 JH CK 0013
In the Jharkhand High Court
Case No : A.B.A. No. 4492 Of 2020

Vikash Kumar Gupta

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 01-10-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 302, 498A

Citation : (2020) 10 JH CK 0013

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Naiyar Eqbal, Nawin Kr. Singh

Final Decision : Dismissed

Judgement

Heard the parties through video conferencing. Apprehending his arrest in connection with Hazaribagh Sadar P.S. Case No.291 of 2019 instituted under Sections 498-A/302/34 of the Indian Penal Code, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner has murdered his wife by burning her after drenching her with kerosene oil. It is submitted that the allegation against the petitioner is false. It is further submitted that the petitioner took every step to save his wife and during the course of treatment of the deceased for five days no complaint was made to police. It is also submitted that the petitioner has a daughter and a son studying in Class-V and VI respectively. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against the petitioner of murdering his wife by burning her after drenching her with kerosene oil therefore, the custodial interrogation of the petitioner is required during the investigation of the case. Hence, it is submitted that the

petitioner ought not to be given the privileges of anticipatory bail.

Considering the serious nature of allegation against the petitioner of murdering his wife by burning her after drenching her with kerosene oil and the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the privileges of anticipatory bail be given to the petitioner. Accordingly, the prayer for anticipatory bail of the above named petitioner is rejected.