

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15508 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Md. Shanawaz S/o Aasmohamad Miya
 2. Neyajan Khatoon W/o Aasmohamad Miya
- Both residents of village - Rampurwa Khajuriya, P.S. - Dumariyaghat,
District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. R.N.Jha(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 14-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 304B/34 of the Indian Penal Code and the fact that the petitioner no.1 is the husband and the petitioner no.2 is the mother-in-law, this Court will not be inclined to grant privilege of anticipatory bail only because while the two petitioners remained absconding despite being named in the First Information Report, the trial of one Aash Mohammad Mian, the father-in-law, was concluded and he was on acquitted. Let it be noted that the petitioners, being named accused and having full knowledge of the case, did not feel necessity of either surrendering or even moving for anticipatory bail before the court below before filing an

application for anticipatory bail which was disposed of on 20.2.2015 which itself would go to show that they had no apprehension while one of the accused was being subjected to trial.

Considering all the circumstances, this Court is not inclined to grant privilege of anticipatory bail to the petitioners namely, Md. Shanawaz and Neyajan Khatoon and their prayer is accordingly rejected.

(Mihir Kumar Jha, J)

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