

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32752 of 2015

Arising Out of PS.Case No. -42 Year- 2014 Thana -GOVINDGANJ
District- EAST CHAMPARAN(MOTIHARI)

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Pramod Kumar Verma @ Dilranjan Kumar Verma, Son of Late Birendra Prasad Verma, resident of village - Areraj Ward No. 1, P.S.. - Gobind Ganj at present resident of Mohalla - Chand Mari Near Durga Mandir, Motihari, P.S. - Motihari Town District - EAst Champaran.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Kumar Virendra Narayan (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Govindganj P.S. Case No.42 of 2014 for allegedly having committed the offence under Sections 302, 341, 323, 324, 307, 326, 438 and 498A/34 of the Indian Penal Code, pending in the court of the learned Sub-Divisional Judicial Magistrate, Motihari, East Champaran.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he being the *Bhaisur* of the deceased lady had an evil eye on the property of the sister of the informant, namely, Priyanka Kuar, who had since

become widow. Learned counsel further submits that though the allegation is squarely lies on the shoulder of this petitioner, being the eldest member in the household, there is no specific allegation against him. Other co-accused persons, who have been alleged to have participated equally in the occurrence, have been extended the privilege of either anticipatory bail or regular bail by this Court in Cr.Misc. No.35520 of 2014, vide order dated 2.3.2015 and also in Cr.Misc. No.18281 of 2015, vide order dated 11.6.2015. While the previous case is one of regular bail where the petitioner has already remained in custody, the second one is one of anticipatory bail.

Having perused the First Information Report and the orders, referred to above, I am of the view that the petitioner must first surrender in the court below and pray for regular bail. If the petitioner surrenders, the case of the petitioner may be considered without being prejudiced by this order and in the light of the orders passed by this Court earlier.

With the aforementioned observations, this petition is dismissed.

(Anjana Mishra, J)

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