

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43848 of 2014

Arising Out of PS.Case No. -40 Year- 2014 Thana -CHAKAMHESI District- SAMASTIPUR

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1. Umesh Ram, Son of Late Kailu Ram.
 2. Shambhu Ram, son of Umesh Ram.
 3. Ram Nath Ram @ Ram Naresh Ram, son of Umesh Ram.
 4. Baijnath Ram, son of Umesh Ram.
 5. Pankaj Kumar, son of Umesh Ram.
 6. Shobha Devi, wife of Late Santosh Ram. All residents of Village - Saidpur Kauna, P.S. - Chak Mehshi, District - Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rana Sanjay Kumar Singh, Advocates.

For the Opposite Party : Mr.. Satyendra Nr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

3 15-04-2015 Learned counsel for the petitioners submits that the petitioner no. 1, Umesh Ram has been arrested and he may be permitted to withdraw his case. Accordingly, prayer for anticipatory bail of petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned counsel for the State.

This is a petition for grant of anticipatory bail in a case under Section 302/34 of the Indian Penal Code.

The petitioner nos. 2 to 5 are the brothers-in-law(Sala) and petitioner no. 6 is the wife of the victim.

It is alleged that there was some strain relation between

the husband and the wife and the husband alongwith his wife went to attend the marriage ceremony of cousin-sister of his wife. However, it is submitted that the husband was done to death at his Sasural and his dead body was found inside the house of the petitioners lying on a cot and the doctor has found the victim died due to strangulation.

Though learned counsel for the petitioners submits that the victim was not murdered rather he committed suicide.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to petitioner nos. 2 to 6. Accordingly, the same is rejected in connection with Chak Mehshi P.S. Case No. 40 of 2014, pending in the court of the learned J.M. Ist Class, Samastipur.

However, petitioner nos. 2 to 6 are directed to surrender and pray for regular bail and on surrender the learned court below may consider prayer for regular bail on its own merit without being prejudiced by the order of this Court. However, if the petition is filed, the same may be disposed of at the earliest.

U.K./-

(Gopal Prasad, J)

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