

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48463 of 2014

Arising out of PS.Case No. -71 Year- 2012 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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Mukesh Ram, S/o Prabhu Ram, resident of Village Kubauli Ram, P.S.
National Highway Bangra, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Ranjan, Advocate.

For the Opposite Party : Mr. Pradip Nr.Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-05-2015 The petitioner is apprehending his arrest in connection with National Highway Bangara P.S. Case No. 71 of 2012 for the offences instituted under Sections 304(B) and 201/34 of the Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that Renu Kumari, the daughter of the informant, was married to this petitioner on 24.12.2010 as per Hindu rites and customs. In the marriage, the informant due to his poverty he could not give motorcycle, due to which this petitioner and his family members used to torture, abuse, harass and assault her, regarding which his daughter always



used to inform him. The informant tried his best to make them understand and pacify the matter, but to no effect. Ultimately this petitioner and his family members (other accused persons named in the F.I.R.) committed murder of his daughter by cutting her neck by Tarchhebi sickle, on 24.10.2012, and disposed the dead body of his daughter immediately to screen the offenders.

It has been submitted on behalf of the petitioner that the petitioner has clean antecedent. Further it has been submitted that the petitioner has falsely been implicated in the present case out of mistake of fact. Hence, the petitioner has not committed alleged incident. It has further been submitted that the co-accused in the present case have been granted anticipatory bail by this Court.

On behalf of the State, it has been submitted that the petitioner is the husband of the deceased and he is named in the F.I.R.

Considering the fact that the petitioner is the husband of the deceased, I am not inclined to grant anticipatory bail to the petitioner in National Highway Bangara P.S. Case No. 71 of 2012, pending in the court of the learned C.J.M., Samastipur. Anyhow, if the petitioner surrenders in the court below within a period of six weeks and prays for regular bail, the order passed by this Court shall not prejudice the court below while considering the prayer

for regular bail of the petitioner. The court below may consider the submissions made on behalf of the petitioner while considering the prayer for regular bail of the petitioner.

(Sudhir Singh, J)

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