

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27764 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -CHENARI District- SASARAM (ROHTAS)

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Chandan Ram S/o Kamta Ram R/o village - Kinar Chola, P.S. Chenari,
District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmala Kumari

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 304B, 201 and 34 of the Indian Penal Code.

Allegation against the petitioner is that due to non-fulfilment of demand of additional dowry, daughter of the informant was tortured and killed.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. Petitioner is the husband of the deceased and other co-accused have been granted bail vide Cr. Misc. no. 11994 of 2015. Petitioner has falsely been implicated in the present case due to mistake of fact. It has also been submitted that the alleged occurrence is of 19.9.2014 but the present case was instituted on 2.10.2014. No explanation in respect of the delay has been furnished by the prosecution.

On behalf of the State, it is submitted that the petitioner is husband of the deceased and all other co-accused, who have been

granted bail are the other family members of the husband of the deceased. Hence, both stand on different footing.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how if petitioner surrenders in the court below (learned Judicial Magistrate, Ist Class, Sasaram, Rohtas in connection with Chenari P. S. Case no. 158/2014) and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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