

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14886 of 2015

Arising Out of PS.Case No. -348 Year- 2012 Thana -SUPAUL District- SUPAUL

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Karam Kumar Mahto @ Karam Mandal S/o Shri Mishri Lal Mandal
Resident of Village + P.O. + P.S. Bihra, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate.

For the Opposite Party/s : Mr. Mustaque Alam (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 13-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 120B, 201, 304B and 498A of the Indian Penal Code and the fact that the petitioner is the husband, this Court will not be inclined to grant privilege of anticipatory bail to him specially when even the statement referred to and relied upon by the learned counsel for the petitioner will itself go to show that the unfortunate lady before dying was allegedly subjected to torture and victimized by the family members of the petitioner as well as the petitioner.

At this stage, this Court will also not go into the correctness or veracity of the supervision note given by the Dy. S.P. which was ultimately disapproved by the Superintendent of Police. Such role of supervision note in terms of Rule 45 of the

Bihar Police Manual being not an evidence in any view of the matter cannot be relied by defence of the accused.

Be that as it may, the petitioner being the husband will not be entitled for being enlarged on anticipatory bail in an offence under Section 302 of the Indian Penal Code.

The prayer for anticipatory bail of the petitioner is accordingly rejected.

(Mihir Kumar Jha, J)

Sujit/-

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