

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12143 of 2015

Arising Out of PS.Case No. -117 Year- 2014 Thana -KHAJEKALLAN District- PATNA

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Suraj Prasad S/o Late Rajendra Prasad, Resident of Mohalla - Machharhata,
Mauri Gali, P.S. Khajekallan, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Adv

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 09-07-2015 Heard learned counsel for the parties.

Having regard to the admitted position that the petitioner being a husband initially facing allegation for the offence punishable under Section-498A of the Indian Penal Code and his wife has subsequently succumbed to her injuries, this Court would find that the petitioner now is also an accused for the offence punishable under Section-304B of Indian Penal Code, he would not be entitled for privilege of anticipatory bail. The prayer for anticipatory bail of the petitioner is accordingly rejected.

Nonetheless, the petitioner will definitely have a right to seek regular bail and therefore, if the petitioner would surrender before the Court below and make a prayer for regular bail, his such prayer would be decided on its own merits without being prejudiced by anything said in this order.

(Mihir Kumar Jha, J)

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