

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17172 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District- VAISHALI
(HAJIPUR)

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MD. RAJA @ RAJA S/o Md. Unush R/o Village - Senduary, P.S. Sadar
Hajipur Distt. - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr. Anil Pd. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-05-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 302 and other sections of the Indian Penal Code.

The informant, father of the deceased, named many
persons and disclosed that they came and killed his son Sanjiv
Kumar. It is alleged that the accused persons killed the deceased
only because he had married Chandani Khatoon. Learned counsel
for the petitioner submits that the petitioner is not named in the
F.I.R. Name of the petitioner figured in the case in the statement
of Chandani Khatoon recorded under Section 164 Cr.P.C. It is
submitted that one of the co-accused, namely, Md. Madin @
Madin has been granted anticipatory bail vide order dated
30.07.2015 passed in Cr. Misc. No. 30919/2015 but the prayer for
anticipatory bail of other accused persons was disposed of with a

direction to surrender in the court below and the learned court below shall consider the prayer for regular bail of the petitioners on its own merits without being prejudiced from the order of this Court.

Considering the facts aforesaid and the fact that the name of the petitioner figured in the case in the statement of the wife of the deceased and the deceased was done to death only because he had solemnized inter-religion marriage with Chandani Khatoon, I am not inclined to enlarge the petitioner on anticipatory bail in Hajipur Sadar P.S. Case No. 132 of 2015. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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