

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14302 of 2016

Arising Out of PS.Case No. -47 Year- 2008 Thana -BHARGAWAN District- ARRARIA

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Md. Kalim, Son of Md. Rayasat, Resident of Village- Paikpar Muslim Tola,
PS Bhargama Dist Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party : Mr. R.P.S.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-05-2016 Heard both sides.

The petitioner apprehends his arrest in Bhargama P.S.
Case No. 47 of 2008, registered for the offence punishable under
Section 302 of the Indian Penal Code.

The S.H.O. Bhargama alleged in his self statement that
he received information that the petitioner killed his wife
assaulting her with Dabia.

Learned counsel for the petitioner submits that on
perusal for the FIR itself, it appears that no family member of the
petitioner has lodged the case. The wife of the petitioner died on
account of fall.

It appears that there was injury on mandible of the
second wife of the petitioner. The case was registered in the year

2008 and only after eight years of the occurrence, the petitioner moved for anticipatory bail. Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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