

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18151 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Bam Bam Mahton Son of Piro Mahton Resident of village -
Khanjahanpur, P.S. Cheria Bariyarpur, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Ms. Gulnar Begum(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 20-06-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Cheria Bariyarpur P.S. Case No. 133/2015 registered for the
offences punishable under Sections 302/201/34 of the Indian Penal
Code.

Diary in the present case was called for which has since
been received.

Learned counsel for the petitioner submits that save and
except the fact, as stated in the First Information Report that the
petitioner along with two others were seen running away from the
place of occurrence where the dead body of the wife of the
informant was recovered, there is no further material to implicate

him in the present case.

Learned counsel appearing on behalf of the State after referring to several paragraphs of the case diary submits that there are several cogent materials in the case diary so as to implicate the present petitioner who has been named in the First Information Report itself. It is submitted that it has come in the case diary that this petitioner along with two others had threatened the informant and his wife with dire consequences and, thereafter, the offence was committed which itself points fingers at the accused persons including the present petitioner.

Having heard learned counsel for the petitioner and learned counsel for the State and on perusal of the case diary, it appears that there is sufficient material therein to raise allegations against the petitioner. As such, I am not inclined to grant anticipatory bail to the petitioner. It is accordingly rejected.

If, however, the petitioner surrenders in the Court below, his case may be considered on its own merit without being prejudiced by the present order.

(Anjana Mishra, J)

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