

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40639 of 2015

Arising Out of PS.Case No. -165 Year- 2013 Thana -MANJHI District- SARAN

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Imamuddin Son of Sri Hanif Miyan Resident of Village - Nandpur Natwar,
Police Station - Manjhi, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Nirmala Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 28-01-2016 Heard Sri Chaudhary Shyam Nandan, learned counsel

who was assisted by Sri Krishna Kumar Yadav, learned counsel

for the petitioner and Smt. Nirmala Kumari, learned A.P.P.

The petitioner, who is the husband of the deceased
apprehends his arrest in connection with Manjhi P.S. Case No.
165 of 2013 registered for the offence under Section 304B, 201/
34 of the Indian Penal Code has prayed for grant of anticipatory
bail.

Learned counsel for the petitioner submits that save and
except the petitioner all other accused persons have been granted
anticipatory bail. He further submits that at the time of occurrence
the petitioner was far away at Mumbai and as such there was no
question of involvement of the petitioner in the present case.

Learned A.P.P. has opposed the prayer of bail and he submits that in the F.I.R. itself it has been alleged that the informant received information regarding death then he arrived at the place of the accused persons and saw that house was locked. Meaning thereby that even after death no information was given.

Keeping in view the fact that petitioner was husband as well as accused under Section 304B of the Indian Penal Code, I am not inclined to extend the privilege of bail to the petitioner.

The petition stands dismissed.

However, it is made clear that if petitioner surrenders before the court below and make a prayer for regular bail within a period of six weeks from today the learned court below may examine the same on its own merit and decide the same preferably on the same date.

(Rakesh Kumar, J)

Praful/-

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