

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1318 of 2016

Arising Out of PS.Case No. -344 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

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Anil Kumar Son of Sri Ramashish Mahto, Resident of New Colony, Ganipur, Police Station Quazi Mohammad, District - Muzaffarpur at present residing at New Balbhadrapur, 22 Number Railway gumati, Police Station Bahadurpur, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mahasweta Chatterjee

For the Opposite Party/s : Mr. Damodar Pd. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 18-02-2016

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 304(B) of the Indian Penal Code as also under Section 3/4 of the Dowry Prohibition Act.

Taking into consideration the fact that the petitioner is the sole accused named in the F.I.R vide Annexure-1 as an accused and he happens to be the husband of the deceased with certain specific allegations regarding his participation in the crime in question, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail in connection with Bahadurpur P.S. Case No. 344 of 2015 pending in the Court of learned Chief Judicial Magistrate, Darbhanga, is hereby rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

The petitioner shall be at liberty to raise all the issues of facts and law, which may be available to him, before the learned court below for the purposes of grant of regular bail.

(Birendra Prasad Verma, J)

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