

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23659 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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Parmeshwar Prasad S/o Late Ramagya Mahto R/o village Latmari, P.S. -
Mahuliya, District - Rauthat (Nepal).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 14-07-2016 Heard learned counsel appearing on behalf of the

petitioner and learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises
out of Chiraiya P.S. Case No. 156 of 2015, disclosing offences
under Sections 302, 201 and 120(B) of the Indian Penal Code.

The petitioner is the husband of the deceased.

It is alleged that the informant was married to the
petitioner in the year 2007. Allegedly, the petitioner and his family
members started torturing his sister, the deceased, for which the
informant had earlier lodged Ghorashan P.S. Case No. 147 of
2008. It also appears that another case was lodged by the deceased
against the petitioner. However, the petitioner is said to have

married another girl.

Learned counsel appearing on behalf of the petitioner has submitted that there is no material to show his involvement in death of the deceased. He has submitted that as per the First Information Report, the dead body of the deceased was found in Sikarahana, District East Champaran, whereas the petitioner is a resident of Nepal. He also submits that there is no evidence to show that the petitioner had killed the deceased in Nepal.

From the case diary it transpires that the police upon completion of investigation has submitted charge-sheet against other accused persons. It appears that the charge-sheet has not been submitted against the petitioner.

Considering the nature of accusation, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merits, without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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