

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29697 of 2016

Arising Out of PS.Case No. -218 Year- 2015 Thana -KATORIA District- BANKA

=====

1. Suresh Yadav Son of Ramlal Yadav resident of village Mushi, P.S. Katoriya (Suiya), District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-12-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Katoriya (Suiya) P.S. Case No. 218 of 2015 for the offences punishable under sections 304 (B) and 328/34 of the I.P.C.

Suma Devi, the sister of the informant, was married with the petitioner about 12-13 years ago and out of the wedlock there are two children. Allegedly, the petitioner used to demand dowry and due to non fulfillment she was being subjected to cruelty. The petitioner used to say that he will kill her if the demand is not fulfilled and ultimately she was killed.

Submission is of false implication and that during



supervision it has come that it is a case under section 306 of the I.P.C, there is no evidence that the petitioner has committed the offence and as such the petitioner deserves sympathetic consideration.

The learned A.P.P, on the other hand, seriously opposes the prayer for pre-arrest bail by submitting that during investigation several witnesses have supported the allegation.

In the facts and circumstances as stated above, considering that the petitioner is the husband, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the above mentioned case pending in the court of A.C.J.M. Banka.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

