

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51738 of 2016

Arising Out of PS.Case No. -354 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Bhutan Ram, Son of Feku Ram, resident of village - Karnameya, P.S.
Bettiah Muffasil, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate

For the Opposite Party : Mr. Sri Rajkishore Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner prays for anticipatory bail in
connection with Bettiah Muffasil P.S. case no. 354 of 2016
registered for the offence punishable under Section 306 of the
Indian Penal Code.

It has been submitted on behalf of petitioner that
petitioner is the husband of the informant and no offence under
Section 306 of the Indian Penal Code is made out against him.
According to F.I.R., informant has left the house of the petitioner
on her own and she along with her children jumped in a canal as a
result of which her children died. It is also submitted that due to
torture of the petitioner, she should not left for her *naihar*. It is



further submitted that informant has illicit relation with one Chhotelal Ram for which complaint case is already filed and due to that, occurrence took place.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the fact that there is allegation against the petitioner that due to torture of the petitioner, informant left the house but the defence has been taken on behalf of the petitioner that he has not committed any overt act, the abovenamed petitioner is directed to surrender before the court below and make prayer for bail and the court below, after considering the submissions of the petitioner, will pass appropriate order without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J.)

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