

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4361 of 2017

Arising Out of PS.Case No. -263 Year- 2013 Thana -BARHARA District- BHOJPUR

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Sinodh Rai aged about 30 years, son of Dudhnath Rai, resident of Bhatu Chakia, Police Station- Barahara, in the district of Bhojpur, Bihar.

.... Petitioner

Versus

The State of Bihar Through The Secretary Law And Justice Govt. of Bihar,
New Secretariat, Patna, Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gajendra Pratap Singh, Advocate

For the Opposite Party : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2017 This is an application for grant of anticipatory bail

for offences punishable under Sections 302, 201 and 34 of the

Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that

he is the husband of the deceased and has falsely been implicated

in the present case. At best, it is a case under Section 201 of the

Indian Penal Code and not under Section 302 of the Indian Penal

Code.

Heard learned A.P.P. also. He has opposed the

prayer for anticipatory bail.

Having heard both sides and in view of the fact that it

is a case under Section 302 of the Indian Penal Code and



petitioner is the husband of the deceased, I am not inclined to grant anticipatory bail to the petitioner, the same is rejected.

However, petitioner is directed to surrender in the court below, i.e., learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara P. S. Case no. 263 of 2013 and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

Accordingly, the present application stands disposed of.

(Vinod Kumar Sinha, J)

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