

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28244 of 2017

Arising Out of PS.Case No. -266 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Goswami Ishwar Chandra @ Niraj Giri @ Neeraj Giri Son of Raghaw
Giri, Resident of Village- Gopalpur , P.S.- Gopalpur, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. M.N. Parbat, Sr. Advocate.

Mr. Praveen Prabhakar, Advocate.

For the Opposite Party : Ms. Sangeeta Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 06-09-2017 Heard Mr. M.N. Parbat, learned senior counsel for
the petitioner and learned APP for the State.

The petitioner apprehends his arrest in Bettiah Town
(Kalibagh O.P.) P.S. Case No. 266 of 2016 registered for the
offences punishable under Sections 302 and 34 of the Indian Penal
Code.

Shri M.N. Parbat, learned senior counsel for the
petitioner submits that prayer for anticipatory bail of the petitioner
was earlier rejected vide order dated 08.11.2016 passed in Cr.
Misc. No. 39815 of 2016 but the petitioner filed this petition
second time for grant of anticipatory bail under the changed



circumstances that police after investigation submitted charge sheet under Section 306 of the Indian Penal Code. During course of investigation the witnesses have stated that on account of some verbal altercation, due to petty dispute, the wife of the petitioner committed suicide. The petitioner is a teacher and he has to look after his four minor children. The marriage was solemnized ten years ago.

Considering the facts that even the witnesses have stated that the petitioner and his wife had some altercation and consequent thereupon the wife of the petitioner committed suicide, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is once again rejected.

If the petitioner surrenders in the court below within four weeks from today the court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this Court and taking into consideration all the facts.

(Prabhat Kumar Jha, J)

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