

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21040 of 2017

Arising Out of PS.Case No. -271 Year- 2014 Thana -SURSAND District- SITAMARHI

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Ajay Ram, Son of Rajendra Ram, Resident of Village- Bhaluahi, Police Station- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Devi, wife of Ajay Ram and Daughter of Mahendra Ram, resident of Village- Bhagwatipur Amghatta, Police Station- Sitamarhi, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 11-07-2017 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 Sursand P.S. Case No. 271 of 2014 for the offences punishable under section 498 (A) of the I.P.C and section 3/4 of the Dowry Prohibition Act.

At the very out set it is submitted on behalf of the petitioner that the petitioner has been given benefit of Section 41 (1) of the Cr.P.C. During investigation the petitioner has not misused the privilege of bail and as such the petitioner deserves sympathetic consideration.



The learned A.P.P. submits that the petitioner must surrender and seek regular bail in that circumstance.

In the facts and circumstances as stated above, the petitioner is directed to surrender and seek regular bail and then in that case the learned court below shall consider that the petitioner has been granted benefit of section 41 (1) of the Cr.P.C and has not misused the privilege of the same.

Accordingly, this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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