

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33076 of 2017

Arising Out of PS.Case No. -140 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

=====

Prabhu Ray, Son of Late Dhanai Ray, Resident of Village- Mangalpur,
Police Station- Bagha (Patkhoul), District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party : Mr. Sri Madhuranand Jha (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 31-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Bagaha (Patkhoul) P.S. Case No. 140 of 2015, registered for
the offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

Allegedly, the petitioner being the husband of the
daughter of the informant killed her after 20 years of marriage and
made the dead body traceless being in collusion and conspiracy
with other co-accused.

Submission is of false implication and that the wife
of the petitioner was in habit to flee away from the house, earlier
also she had fled away. This fact has been stated by the son of the



deceased and also by the independent witnesses vide para 48 and 49 of the case diary. During supervision also suspicion has been raised. and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that in the F.I.R. there is direct allegation which finds support during investigation also by so many witnesses.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Bagaha (Patkhauri) P.S. Case No. 140 of 2015, pending in the Court of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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

