

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57077 of 2017

Arising Out of PS.Case No. -180 Year- 2017 Thana -BALIA District- BEGUSARAI

=====

Shambhu Yadav, S/o Balo Yadav, resident of village - Pokhariya, P.S.
Baliya, Dist - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate.

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 31-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Baliya P.S. Case No. 180 of 2017** instituted for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

Petitioner is husband of the deceased. There is allegation in the written report that deceased was married with this petitioner and she gave birth to four daughters, on account of which, this petitioner and his other family members always tortured the daughter of the informant on the plea that she always gives birth to a daughter. It is further alleged that on 20.07.2017 the informant on the telephone of his *Samdhi* wanted to talk with his daughter but he did not give phone to his daughter. Thereafter, the informant reached to her Sasural and learnt that his daughter and grad-daughter have been poisoned to death by her husband and his other family members.



Learned counsel for the petitioner has submitted that other family members of the petitioner have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 13.10.2017 passed in Cr. Misc. 48081 of 2017. He has also annexed Annexure-3 and has argued that this petitioner also consumed poison, From Annexure-3, which is injury report given by Private doctor, it appears that only vomiting, headache and pain in abdomen was found. There is no substantial proof that any serious injury was caused to the petitioner by poison.

From the written report itself it is apparent that daughter of the informant and his grand daughter have been done to death in her sasural.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners stands rejected.

Petitioners may surrender before the court below and make prayer for regular bail which shall be considered/disposed off by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

S.Ali/-

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

