

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12879 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Md. Atikur Rahman, S/o Haji Kalimur Rahman, Resident of Village-Inderpur, Ward No.12, P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Chhatapur P.S.Case no.263 of 2017 registered for offences punishable under Sections 302, 120B and 34 of the Indian Penal Code.

petitioner is causing death of his wife and there is also allegation that on *hulla* father of the deceased came to the house of the informant and there he saw his daughter in unconscious condition and thereafter she was taken for treatment.

Submission of the learned counsel for the petitioner is that the case is not under Section 304B of the IPC as the marriage was solemnized ten years prior and the cause of death is not ascertained and it is the petitioner who has taken her for treatment.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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