

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17155 of 2018

Arising Out of PS.Case No. -401 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Suraj Yadav S/o Bachchu Yadav, R/o Village- Akbarbigha, P.S.-
Barbigha, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Barbigha P.S. Case No.
401 of 2017 instituted for the offence under Sections- 304-B/34/2011 of
the Indian Penal Code.

It is alleged in the written report that the victim lady was
married to the petitioner six years back and after spending some time,
her husband and in-laws demanded Rs. Two lakh and due to non-
fulfillment, they started torturing her. It is further alleged that petitioner
has developed illicit relationship with Kanchan Devi. On 23.08.2017,
co-villager informed the informant on mobile that his daughter is
missing since 5-6 days. The informant reached to sasural of his
daughter, who was not there. The daughter of informant is still traceless
and it appears that the accused persons have killed her and disposed of
the dead body.

Learned counsel for the petitioner submits that petitioner



had filed informatory petition no. 562 of 2017 on 17.07.2017 and again on 17.08.2017 before the C.J.M., Sheikhpura informing that petitioner usually used to leave the house. Informant has himself filed an affidavit on 13.11.2017 before C.J.M., Sheikhpura stating therein that his daughter was of un-sound mind. He further submits that other co-accused have been allowed anticipatory bail vide order dated 08.02.2018 passed in Cri. Misc. No. 61908 of 2017 by another co-ordinate Bench of this Court.

From order dated 08.02.2018, passed in Cri. Misc. No. 61908 of 2017 it appears that submission was made on behalf of petitioner in that bail petition that they are ready to aid the investigating agency and ensure that the husband of victim is caught.

The petitioner is husband of the victim. The victim is still traceless. Therefore this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail stands rejected in connection with Barbiga P.S. Case No. 401 of 2017 pending in the Court of learned C.J.M., Sheikhpura.

The petitioner is directed to surrender in the court below and make prayer for regular bail which will be considered by court below in accordance with law on its own merit without being prejudiced by this order and if possible the same will be disposed off on same day.

(Sanjay Priya, J)

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