

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7186 of 2018

Arising Out of PS.Case No. -23 Year- 2017 Thana -KATRAHA District- VAISHALI(HAJIPUR)

=====

Chandan Kumar Rai S/o Nawal Rai, R/o Village- Kanchanpur, Dhanushi,
P.S.- Kartahan, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 17-02-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in relation
to Kartahan P.S. Case No. 23 of 2017 registered under
Sections 304(B), 34 of the Indian Penal Code pending in
the court of learned A.C.J.M. – Vth, Vaishali at Hajipur.

Learned counsel for the petitioner submits that
this petitioner is the husband of the deceased however at
the time of alleged occurrence he was not present and was
serving outside the State as a workman. It is also submitted
that the co-accused who are family members of this
petitioner have been granted privilege of anticipatory bail
by a co-ordinate Bench of this court.

On the other hand, learned A.P.P. for the State



submits that from the F.I.R. it would appear that the marriage had taken place only on 30.11.2016, and there are allegations of committing torture against this petitioner being the husband and the death having taken place with the four corners of his house does not deserve privilege of anticipatory bail.

In the facts and circumstances of the case, considering that the petitioner is the husband whose marriage had taken place only in the year 2016 and death has taken place within six months of marriage in the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

This application is dismissed.

In case, the petitioner surrenders before the court below and prays for regular bail within a period of four weeks from today, the court below shall consider the same on the basis of the materials available on the record and in accordance with law without being prejudice of the order of rejection of the anticipatory bail application.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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