

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20388 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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Md. Anish S/o Md. Majrul Hak, R/o Village- Gauripur Shekh Tola, P.S.-
Balthar, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 17-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
302/34 of the Indian Penal Code.

The prosecution case got initiated with the
submission of written report of Dinesh Mishra dated 26.10.2017
submitted to the Station House Officer, Balthar P.S., to the effect
that the informant got his daughter Purnima Kumari married of
her own with Juned Akhtar seven years prior to the lodging of
the case. On 25.10.2017 the husband of the daughter of the



informant and other in-laws people including the petitioner, who happens to be the father of second wife of the husband of the victim, killed the daughter of the informant by throttling. It is further alleged that the daughter of the informant through phone used to tell the informant that her husband, father-in-law, mother-in-law, second wife of her husband used to torture her.

It is submitted by learned counsel for the petitioner that the petitioner has been roped in the present case since he happens to be father of the second wife of the husband of the victim. As per the FIR, this fact is admitted that the informant is not eye witness to the occurrence and only on the basis of suspicion, the petitioner has been named in the FIR. The impugned order also does not suggest that any direct evidence has been collected by the investigating agency. However, the investigation against the petitioner is still pending.

Learned APP submits that the petitioner is also named in the FIR.

Considering the thrust of accusation against the husband of the victim, who has already been charge sheeted, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIIIth, Bettiah, West Champaran in connection with Balthar P.S. Case No. 101 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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