

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47062 of 2019

Arising Out of PS. Case No.-348 Year-2018 Thana- BAHERA District- Darbhanga

SAROJ MUKHIYA @ SAROJ SAHNI Son of Mahendra Mukhiya @ Mahendra Sahni, Resident of Village - Murtujapur, P.S.- Bahera and Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Bahera P.S. Case No. 348 of 2018 registered for offence punishable under section 304 (B)/34 of the Indian Penal Code.

Allegation has been made that all the family members have killed the younger sister of the informant. The petitioner is husband.

The learned counsel for the petitioner submits that section 304(B) of the Indian Penal Code is not made out, as there is no allegation of demand, but the petitioner could not give reply about the statement made in the FIR which discloses



the case of section 302 of the Indian Penal Code.

In such view of the matter, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the court below would decide the case on its own merit.

(Shivaji Pandey, J)

Mahesh/-

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

