

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57665 of 2019

Arising Out of PS. Case No.-158 Year-2018 Thana- RAMGARHWA District- East
Champaran

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MAHTAB ALAM, aged about 44 years, Male, Son of Late Manjoor Alam @
Mansoor Alam, Resident of Village - Murgiya Tola, P.S.- Ramgarhwa, Dist.-
East Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party : Mr. Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Ramgarhwa P.S. Case No. 158 of 2018, pending in the Court of
the Subdivisional Judicial Magistrate, Raxaul, East Champaran
at Motihari, for the offence alleged under Section 304B/34 of
the Indian Penal Code.

The accusation is of killing of the sister of the
informant by her in-laws at the instance of her husband due to
non-fulfillment of demand of motorcycle and she buffalo.

The submission of the learned counsel for the
petitioner is that in fact at the time of occurrence the petitioner
was not at the place of occurrence rather he was abroad in
connection with doing his job.



Learned Additional Public Prosecutor for the State
opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the
case, I am not inclined to grant the privilege of pre-arrest bail to
the petitioner. The prayer for pre-arrest bail is **rejected**. The
petitioner is directed to surrender before the Court below and
seek regular bail, which will be considered on its own merit and
without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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