

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2162 of 2020

Arising Out of PS. Case No.-419 Year-2019 Thana- CHIRAIYA District- East Champaran

1. AKBAR ALI Son of Late Safiuddin Resident of Village- Dipahi, P.S.- Chiraiya, District- East Champaran.
2. Naimuddin Mansuri Son of Jiaul Miya Resident of Village- Parsa, P.S.- Pakridayal, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Chiraiya P.S. Case No. 419/2019 registered under Sections 302, 34 of the Indian Penal Code, pending in the court of learned A.C.J.M. - V, Dhaka at Sikrahna, District – East Champaran.

Learned counsel for the petitioner submits that petitioner no. 1 is the husband of the deceased whereas petitioner no. 2 is the brother -in-law of petitioner no. 1. In her submissions, learned counsel submits that petitioner no. 1 is residing at Delhi and it has come in course of investigation also that the sister of the informant had filed a case in the court of



learned S.D.J.M., Sikrahna as she was residing in her parental house. Petitioner no. 1 has filed a case for restitution of conjugal rights in the court of learned Principal Judge, Family Court, East Vishwas Nagar, Delhi and that the allegation of torture against him is baseless. It is her further submission that so far as petitioner no. 2 is concerned he is the brother-in-law of petitioner no. 1 and has been made accused only because he happens to be the kith and kin of petitioner no. 1.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners. It is submitted that as per the First Information Report the petitioners were taken to her Sasural and these petitioners had taken her to the Sasural giving her an impression that she would be kept with full dignity and care, but thereafter both of them killed her by pressing her neck and poured Acid on her body. It is submitted that in the nature of allegations the petitioners do not deserve privilege of anticipatory bail.

In the given facts and circumstances of the case where there are allegations that these petitioners had taken the sister of the informant to her Sasural where she was killed and it has also been alleged that Acid was poured on her body, this court is not inclined to grant privilege of anticipatory bail to the petitioners.



This application is, thus, dismissed.

In case, the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered by the court below on their own merit.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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