

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28503 of 2020

Arising Out of PS. Case No.-460 Year-2018 Thana- TEKARI District- Gaya

Subodh Ram, S/o Sri Anil Ram @ Anil Prasad, Resident of Village-Revai,
Police Station-Tekari (Mau O.P.), District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 22-01-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Tekari (Mau O.P.) P.S. Case No.460 of
2018 registered for the offences punishable under Sections 302,
201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is the husband of the deceased and he has been falsely
implicated in this case. Learned counsel submits that there is
general and omnibus allegation of assault against all the named
accused persons including this petitioner. It is submitted that
from the F.I.R. itself it would appear that there is no specific
allegation of demand of dowry and torture against this
petitioner.

Learned APP for the State is present and has opposed



the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is the husband of the deceased, death of the wife has taken place in the matrimonial home and there is specific allegation against the petitioner that he had been assaulting his wife, she was killed and her dead body was cremated without any information to her family members, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

The observation with regard to surrender in the court below within a period of four weeks from today shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

