

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12302 of 2015

Arising Out of PS.Case No. -86 Year- 2013 Thana -PHULPARAS District- MADHUBANI

Prabhu Singh Son of Late Sakal Singh Resident of Village - Baik, P.S. -
Phulparas, District - Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Suresh Pd. Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 23-07-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 364, 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the daughter of the informant. The allegation is that the petitioner and the family members used to torture the informant's daughter for dowry. It further appears from the First Information Report that the informant's daughter, who is petitioner's wife, is missing and has not been traced sofar.

It is submitted on behalf of the petitioner that he had

lodge Sanha with respect to missing of his wife on 10.05.2015 with Gaziabad Police Station. Since in a case registered for the offence under Section 498A, the petitioner is the husband and his wife is said to be missing, I do not consider it to be a fit case for grant of privilege of anticipatory bail as his custodial interrogation may be required by the Police.

The petitioner is directed to surrender before the court below within four weeks, if he does so and seeks regular bail, his case for regular bail shall be considered on its own merit, without being prejudiced by rejection of the present anticipatory bail application.

This application is rejected with the observation, as above.

(Chakradhari Sharan Singh, J.)

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