

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16970 of 2016

Arising Out of PS.Case No. -184 Year- 2005 Thana -SONEPUR District- SARAN

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Santosh Kumar @ Santosh Rai son of Rang Lal Rai, resident of Village-
Badurahi, P.S.- Sonepur, District- Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Najmul Hoda, Advocate.

For the Opposite Party/s : Mr. Ashraf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-05-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 304B and 120-B of the Indian Penal Code.

The petitioner is the husband and the informant
alleged that the petitioner and others killed his daughter within
three years of her marriage. It is submitted that the victim died on
23.12.2004 but the complaint was filed on 29.07.2005. The police,
after investigation, submitted final form but the learned court
below took cognizance differing with the finding of the police.
The prayer for anticipatory bail of the petitioner and his mother
Deomani Devi was rejected vide order dated 01.05.2009 passed in
Cr. Misc. No. 49327/2008. It is further submitted that Deomani
Devi again moved for anticipatory bail but her anticipatory bail
petition was dismissed vide order dated 12.04.2016 passed in Cr.

Misc No. 15136/2016.

It appears that the petitioner, after rejection of his anticipatory bail petition, did not surrender in the court below for last seven years.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Sonapur P.S. Case No. 184 of 2015, U.T. No. 145 of 2015. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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