

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9393 of 2016

Arising Out of PS.Case No. -155 Year- 2008 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Rabindra Rai @ Rabindra Ram S/o- Rambilash Rai, Village & P.O.-
Ganeshpur Godarahe Tola, P.S.- Riga, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr. Meena Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 02-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of victim is apprehending arrest in a case registered for the offences punishable under Section 498A, 304(B), 201 and 120B of the Indian Penal Code.

The prosecution case is of killing the daughter of informant after two years of marriage for non-fulfillment of dowry demand.

It is submitted by the learned counsel for the petitioner that marriage of the petitioner with the victim in the year 2001 is admitted but the victim died on 18.10.2013 when the informant participated in the cremation but subsequently he filed complaint

case No. C424 of 2005 on 30.06.2005 levelling the accusation under section 498(A), 304(B), 201 and 120B of the IPC which came to be registered as police case on 26.12.2008 and the petitioner has no knowledge that processes have been directed to be issued against him.

Considering the fact that the petitioner has preferred anticipatory bail petition after eight years of the institution of the FIR, this court is not inclined to consider the prayer for anticipatory bail.

Let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Dhaka P.S. case No. 155 of 2008 pending in the court of learned S.D.J.M., East Champaran at Motihari keeping in view the fact that after about two years of the knowledge of death the complaint was filed and after five years of death the FIR was registered.

This application is disposed of with the aforesaid observation/direction

(Dinesh Kumar Singh, J)

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