

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37997 of 2017

Arising Out of PS.Case No. -130 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA
=====

1. Mahavir Sahani S/o Singheshwar Sahani
2. Sita Devi, W/o- Mahavir Sahani, Resident of Village- Koorthu, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore, Adv.
=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 30-08-2017

Heard both sides.

The petitioners apprehend their arrest in Ghanshyampur P.S.Case No.130/2015 for the offences allegedly committed by the petitioners under Sections 304(B), 201/34 of the Indian Penal Code.

The prayer for anticipatory bail petition of the petitioners Mahavir Sahani and Sita Devi was earlier rejected by this Court vide order dated 09.11.2015 passed in Cr.Misc.No.40564/2015 and Cr.Misc.No. 47857/2015.

Learned counsel for the petitioners submits that the husband was put on trial and vide order dated 09.06.2017 passed in Sessions Trial No.08/2017, the husband of the deceased was acquitted. The



prosecution witnesses disclosed in their evidence in court that the deceased died of natural death. Hence, the petitioners may be enlarged on anticipatory bail.

I find that the prayer for anticipatory bail petition of both the petitioners was rejected about two years ago vide order dated 09.11.2015 passed in Cr.Misc.No.40564/2015 and Cr.Misc. No. 47857/2015 but the petitioners waited for outcome of the Sessions Trial No.08/2017 in which his son was put on trial. The petitioners did not surrender for two years even after rejection of their anticipatory bail having scant respect of the process of the court.

Considering the facts aforesaid and the fact that the petitioners have waited for the order of this Court and remained absconding for about two years, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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