

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55791 of 2017

Arising Out of PS.Case No. -589 Year- 2016 Thana -MANER District- PATNA

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Ripak Kumar Singh @ Ripak Kumar, Son of Rajeshwar Rai, Resident of
Village- Jirakhan Tola, P.S.- Maner, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mrs. Soni Srivastava and Mr. Sanjay
Kumar, Advocates.

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 304(B) and 201/34
of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. The petitioner is the *Dewar* of the deceased. He is separate in mess and property from the husband of the deceased. The husband of the deceased is in custody. The deceased alongwith children have committed suicide. It is further submitted that no offence under Section 304(B) of the IPC can be made as the occurrence is said to have taken place after seven years of marriage.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case and anticipatory bail of other co-accused has been rejected by another co-ordinate Bench of this Court vide Cr. Misc. No. 23170 of 2017 dated 05.07.2017.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Maner P.S. Case No. 589/2016, pending in the court of learned J.M. Ist Class, Danapur, Patna.

Anyhow, if the petitioner surrenders in the learned court below within a period of six weeks from the date of receipt/production of copy of this order and files regular bail application, the same shall be considered by the learned court below on its own merit without being prejudiced by the order of



this Court.

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(Sudhir Singh, J)

