

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35288 of 2018

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Surendra Singh S/o Late Bansidhar Singh, resident of village- Dangoli,
P.S.- Murar, District Buxar at present Nawada Ben, P.S.- Udwant Nagar
(Gajrajganj), District- Bhojpur, Ara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwari-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Udwantnagar (Gajrajganj) P.S. Case No.225 of 2017 registered
under Sections 304B and 201 read with 34 of the Indian Penal
Code.

While arguing the case yesterday, it was submitted by
the learned counsel for the petitioner that co-accused Sheojee
Singh @ Shive Nand Singh has already been granted pre-arrest
bail by a Bench of this Court vide its order dated 21.05.2018
passed in Cr. Misc. No.31748 of 2018. On such submission, the
record of aforesaid Cr. Misc. No.31748 of 2018 was called for.

From perusal of the aforesaid order dated 21.05.2018



passed in Cr. Misc. No.31748 of 2018, I find that on the submission of the learned counsel for the petitioner that in case of Shojee Singh @ Shive Nand Singh the specific allegation of demand of dowry and torture is against the husband and father-in-law and not against Shojee Singh @ Shive Nand Singh, pre-arrest bail was granted to Shojee Singh @ Shive Nand Singh by the aforesaid order dated 21.05.2018.

The counsel appearing in the case of Shojee Singh @ Shive Nand Singh is the counsel appearing in the instant case. He has submitted that though, initially, in the FIR, the allegation of demand of dowry and torture was against the husband and father-in-law, in course of investigation materials have been collected on the basis of which it can be said that even father-in-law had no hand in the commission of the offence.

On the other hand, learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. He submitted that in the FIR specific allegation is clearly against the husband and father-in-law for causing dowry death. Hence, the petitioner being father-in-law should not be granted pre-arrest bail.

Having heard learned counsel for the parties and looking at the gravity of the offence alleged in the FIR, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his



application for grant of pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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