

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55816 of 2017**

Arising Out of PS.Case No. -127 Year- 2010 Thana -PATNA COMPLAINT CASE District-  
PATNA

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Surendra Singh, S/o Late Sarju Singh, R/o Village- Karana Basantpur, P.S.-  
Ara, Muffasil, District- Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Ravindra Singh, S/o Late Rajeshwar Pd. Singh, R/o Vill.+Post -  
Bisunpura, P.S.- Bihta, District- Patna.

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      19-03-2018                      Heard learned counsel for the petitioner, learned  
  
counsel for the opposite party No. 2 and learned counsel for the  
  
State.

The petitioner apprehends his arrest in **Complaint  
Case No. 127C of 2010** instituted for the offence under Section  
406 of the Indian Penal Code and Section 4 of Dowry Prohibition  
Act.

The lower court record has been received in this case.

From the LCR it appears that by order dated  
16.04.2010, the court below has found *prima facie* case against  
the petitioner for the offence under Section 406 of the Indian  
Penal Code and Section 4 of Dowry Prohibition Act. The



petitioner has not appeared in the court below since then. It further appears that process under Section 82 Cr. P.C. has already been issued against the petitioner vide order dated 8.8.2016.

Learned counsel for the petitioner has submitted that there was no service report of the NBW issued against this petitioner.

From the LCR it appears that NBW has already been issued on 14.09.2011 and since then the case remained pending for appearance of the petitioner. Thereafter, the Court below has issued process under Section 82 Cr. P.C. vide order dated 8.8.2016.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which will be considered by the court below on its own merit, in accordance with law, if possible on same day, without being prejudiced by this order.

**(Sanjay Priya, J)**

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