

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57170 of 2019

Arising Out of PS. Case No.-367 Year-2003 Thana- SAMASTIPUR District- Samastipur

1. VIJAY GIRI @ VINAY GIRI Son of Late Mahendra Giri, Resident of Village - Kishanpur Baikunth, P.S.- Warishnagar, District - Samastipur
2. Indu Devi Wife of Vijay Giri @ Vinay Giri, Resident of Village - Kishanpur Baikunth, P.S.- Warishnagar, District - Samastipur
3. Gayatri Devi Wife of Late Mahendra Giri, Resident of Village - Kishanpur Baikunth, P.S.- Warishnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2019 Heard both sides.

Petitioners apprehend their arrest in Samastipur Town
P.S. Case No.367 of 2003 registered under Sections 304(B), 379
and 34 of the Indian Penal Code.

The informant (brother of the deceased) alleged that
his sister was married to Bipin Giri in the year 1998 but after
marriage her husband and the petitioners subjected her to all
sorts of torture. The sister of the informant was ousted from her
matrimonial house with her minor son on 26.08.2003 in a
pathetic condition. The informant got her sister admitted in the
hospital and she succumbed to the injuries.



Learned counsel for the petitioners submits that the petitioners are brother-in-law, sister-in-law and mother-in-law of the deceased. Petitioners are residing in Chandigarh from before the occurrence and they had no knowledge about the institution of the case, but it appears from the record itself that the case was registered in the year 2003 immediately after death of the sister of the informant. The police took up investigation and submitted charge sheet against the petitioners also showing them absconder. The petitioners moved this court for grant of anticipatory bail only after sixteen years from the date of institution of the case that too after processes issued under Sections 82 and 83 of the Cr.P.C.

Having considered the facts aforesaid and the fact that since the petitioners have already been declared absconder, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

