

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80084 of 2018

Arising Out of PS. Case No.-23 Year-2010 Thana- CHANDAMUNDI District- Jamui

Ramakant Yadav Son of Sri Mahendra Yadav, Resident of Village- Makundra,
Police Station- Banka, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-01-2019 Heard both sides.

The petitioner apprehends his arrest in Chandramandih P.S. Case No.23 of 2010 registered under Sections 498A, 304B and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the prayer for anticipatory bail of the petitioner was earlier rejected by this court on 27.05.2013 in Cr. Misc.No.19927 of 2013. It is further submitted even if earlier the prayer for anticipatory bail was rejected, subsequently anticipatory bail can be granted as has been held by the Hon'ble Supreme Court in the case of Ravindra Saxena vs. State of Rajasthan reported in A.I.R. 2010 SC 1225.

It appears from perusal of the record that the case is of the year 2010. The petitioner is husband of the deceased and on



considerations of material available on record the prayer for anticipatory bail of the petitioner was rejected on 27.05.2013 but the petitioner did not surrender in the court below for more than five years even after rejection of his anticipatory bail petition and thereafter again filed this anticipatory bail petition.

Having considered the facts aforesaid and the fact that there are ample materials on record to show that it was petitioner who killed his wife due to non-fulfillment of demand of dowry and the petitioner did not surrender in the court below for more than five years even after rejection of his anticipatory bail petition on 27.05.2013, the prayer for anticipatory bail of the petitioner is once again rejected.

(Prabhat Kumar Jha, J)

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