

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84842 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

SURESH RAY @ SURESH RAI Son of Ram Vilash Ray Resident of Village
- Gopalpur, P.S. - Vidhyapati Nagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Vidhyapati Nagar P.S. Case No.31 of 2019 registered under Sections 201, 304B and 34 of the Indian Penal Code.

The informant alleged that in the year 2017, he got his daughter married with Raju Kumar, son of Suresh Rai(the petitioner) but immediately after marriage, the husband and other in-laws of his daughter started subjecting her to physical and mental torture. On 23.03.2019, the informant got information that his daughter was killed. When the informant went to the in-laws house of his daughter, the house was blocked and the husband and other in-laws of the daughter of the informant were absent. They have also disposed of the dead body.



The learned counsel for the petitioner submits that the petitioner is father-in-law of the deceased. There is no specific allegation against the petitioner. The process under Sections 82 and 83 have wrongly been exhausted but I find that since the process under Sections 82 and 83 have already been exhausted and petitioner is absconding, therefore, the anticipatory bail petition is not maintainable. The daughter of the informant was done to death within two years of her marriage and her dead body was also disposed of without giving any prior information to the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

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