

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8237 of 2024

Arising Out of PS. Case No.-307 Year-2015 Thana- SAHEBGANJ District- Muzaffarpur

Md. Shamim SON OF MD. NASEEB Village- Mahdeiya Math, P.S.-
Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Namrata Mishra, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-03-2024 Heard Mrs. Namrata Mishra, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sahebganj P.S. Case No. 307 of 2015 registered under Sections 304B/34 of the Indian Penal Code lodged on 23.11.2015 by the informant, Md. Shyamuddin.

3. As per the prosecution story, the informant alleged that his daughter was married to the younger son of the petitioner but was always tortured for dowry and on 22.11.2015, he received information about her setting on fire by the in-laws which followed the FIR.

4. Learned counsel for the petitioner submits that he is brother-in-law (*Bhaisur*) was not present at the time of occurrence and has knowledge about his implication in the FIR.



5. Learned APP for the State objects and submits that the case is of the year, 2016 and he has delayed coming to the Court.

6. Though, this Court consider that he is not the husband and is brother-in-law (*Bhaisur*) and further he do not have criminal antecedent, only on the ground of delay approaching this Court, this Court is not inclined to extend him privilege of anticipatory bail which is accordingly rejected.

7. However, if the petitioner surrenders within a period of four weeks from today and prays for bail, the Court shall consider the aforesaid facts that he is brother-in-law (*Bhaisur*) and do not have criminal antecedent will pass an appropriate order preferably on the day, the petitioner files surrender cum bail petition.

(Rajiv Roy, J)

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