

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61168 of 2024

Arising Out of PS. Case No.-37 Year-2017 Thana- BHAGWANGANJ District- Patna

Devendra Prasad S/o- Lakhan Yadav @ Lakkhi Yadav Village- Mudffarpur
PS- Bhagwanganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Kumari

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bhagwanganj P.S. Case No. 37 of 2017 registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

3. Earlier by order dated 17.02.2018 passed in Cr. Misc. No. 9325 of 2018 and by order dated 22.01.2020 passed in Cr. Misc. No. 22.01.2020, the prayer for anticipatory bail of the petitioner was rejected twice. Now, he has renewed his prayer for anticipatory bail.

4. As per the F.I.R., allegation against the petitioner is that he along with other co-accused killed the daughter of informant due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence. He submits that the petitioner has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that there is no specific overt act against the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Per contra, learned APP for the State vehemently opposing the bail of the petitioner submitted that the allegations levelled against the petitioner is serious in nature, hence, he does not deserve privilege of anticipatory bail.

7. In such view of the matter and considering the judgment of Hon'ble Apex Court in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC online SC 176*, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not inclined to entertain his prayer once again.

8. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

anand/-

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

