

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66039 of 2024

Arising Out of PS. Case No.-103 Year-2020 Thana- RAGHUNATHPUR District- Siwan

Chandan Sah @ Chandan Sah Gond son of Bikram Sah Gond Village-
Langusa, Ps- Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-12-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Raghunathpur P.S. Case No. 103 of 2020 for the offence under Section 304(B) and 34 of the I.P.C. lodged on 06.07.2020 by the informant, Anita Devi.

3. As per the prosecution story, the informant has alleged that the deceased was married to the petitioner herein but she was regularly tortured for dowry. He had also made an application for justice and handed over the said letter to the ‘Sarpanch’ but on 06.07.2020, when she did not receive the phone calls made to her daughter, she went to her in-laws house only to see the body of her daughter tagged with a rope and she was dead. The present petitioner is the husband. This led to the FIR.



4. Earlier, the anticipatory bail application of the petitioner was rejected vide order 24.01.2023 in Cr. Misc. No. 57895 of 2022 (Chandan Sah God vs. The State of Bihar).

5. Instead of facing the trial, almost two years later, the petitioner has preferred second anticipatory bail on the ground that in the learned trial court where the trial has been initiated against his family members, the witnesses have not supported the prosecution side.

6. Learned APP opposes the prayer submitting that he is the husband, allegation in the FIR is against him. On 24.01.2023, the anticipatory bail application was rejected and instead of facing the trial, he has again approached this Court for anticipatory bail.

7. Taking into account the aforesaid facts as also that once his anticipatory bail was rejected, he should have surrendered and seek bail even on the grounds that he has enumerated in course of his submission, so far as the anticipatory bail is concerned, he is named in the FIR.

8. In that background, particularly, when his earlier prayer was rejected on 24.01.2023, no relief can be granted to him.

9. The anticipatory bail application once again stands



rejected.

10. The Superintendent of Police, Siwan shall submit a report on how a person is filing anticipatory bail repeatedly without the process of law catching him, he being the husband and the allegation is against him of killing the wife.

11. Let a report come in next six weeks and the matter be put under the heading “To Be Mentioned” on 24.01.2025 to peruse the report.

(Rajiv Roy, J)

Adnan/-

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