

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64552 of 2024

Arising Out of PS. Case No.-91 Year-2016 Thana- MUNGER COMPLAINT CASE District-
Munger

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Sudhanshu Kumar S/o Late Surendra Yadav R/o Village- Nawabganj,
Alinagar, PS- Surajgarha, Distt- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi D/o Late Jitendra Prasad Yadav R/o Mohalla - Krishnapuri, P.S. -
Kotwali, Distt. - Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mrs. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 26-03-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 91C/2016 for the offence under sections 498(A), 307/34, 323, 494 and 420 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act by the informant, Jyoti Devi.

3. The case came to be lodged in the year 2016 and Jyoti Devi, wife of the petitioner alleged that she was married in the year 2015 but was tortured for dowry and further allegation is that on 18.01.2016, she was assaulted and had to rush to Surajgarha Primary Health Center and later to Munger Hospital for treatment. This led to the FIR.



4. From 2016 till 2022, the petitioner had no time to take recourse to move before the Court for grant of relief. It was only in the year 2022 that he came to this Court vide Cr. Misc. No. 64055 of 2022 for grant of anticipatory bail.

5. The opposite party pointed out that despite having criminal antecedent it has been stated in paragraph-3 that he has no criminal antecedent. In that background, learned counsel for the petitioner sought and was allowed to withdraw the petition vide an order dated 23.05.2023.

6. Instead of again taking recourse to filing of an appropriate petition before an appropriate Court and/or surrender and seek bail, two years later, the present second anticipatory bail petition.

7. Though there is no time limit for such prayers/filing of the anticipatory bail, this Court cannot overlook the fact that despite a case lodged by his own wife against him, he has not taken any steps for nine long years.

8. In that background, the anticipatory bail application stands rejected.

9. The Superintendent of Police, Munger is directed to file his counter-affidavit on how come a person against whom a case is pending, is evading arrest for nine long years and is



repeatedly filing anticipatory bail.

10. Mr. Jitendra Kumar Singh shall be appearing in the matter and he shall be filing counter-affidavit in next four weeks.

11. Let the name of Mr. Jitendra Kumar Singh, learned APP be published in the cause-list.

12. List this matter under the heading ‘To be Mentioned’ on 25.04.2025 at 02:15 PM to peruse the counter-affidavit of the Superintendent of Police, Munger.

(Rajiv Roy, J)

Adnan/-

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