

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49348 of 2025

Arising Out of PS. Case No.-427 Year-2018 Thana- DUMRAO District- Buxar

Akhilesh Singh @ Dabbu Singh @ Akhilesh Kumar @ Akhilesh S/o Rana Pratap Singh @ Rana Singh P/A- Shri 9/3 B, Ramjanki Dham Colony Gilat Bazar, Shivpuri, Varanasi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyendra Narayan Singh, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Shiv Nandan Singh, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard the learned Advocate for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Dumraon P.S. Case No. 427 of 2018, registered for the offences punishable under Sections 304-B and 201/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The marriage of the daughter of the informant was solemnized in the year 2015 and they also blessed with a baby child. Despite the aforesaid fact, the deceased was subjected to demand of dowry and on account of non fulfillment of the same, she was tortured in various ways. It is also alleged that earlier out of rupees four lakhs, which was being demanded by the petitioner, Rs. 70,000/- has been transferred through RTGS in



the account of the petitioner and the cash amount to the tune of Rs. 1,30,000/- has been given to the family members. Notwithstanding the aforesaid fact, on 31.10.2018, at about 10'o clock, the petitioner had called upon the informant's daughter in the market and from where she was found traceless. Later on, her dead body was recovered nearby a bush, which led to institution of the present case.

4. Learned Advocate for the petitioner submitted that on the alleged date of occurrence, the petitioner was present in Varanasi and this fact has also been corroborated by the call details report. On the alleged date of occurrence, there had no communication from the mobile phone of the petitioner. In fact, the entire case is based upon suspicion because of not having good relationship between the husband and wife. The police during the course of investigation has found the case true only under Section 302/34 of the IPC against the unknown miscreants and recommended for submitting final report in favour of the petitioner. However, the Superintendent of Police directed for further investigation in the matter. Only on account of the aforesaid reason, since the petitioner had been waiting for the final outcome of the investigation, thus delay has occurred in approaching this Court.



5. On the other hand, learned Advocate for the State as well as the learned Senior Advocate for the informant opposed the pre-arrest bail application and submitted that despite that fact the FIR has been registered long back in the year 2018, by making the petitioner as named accused with specific accusation, he has been evading his arrest and on 11.04.2024, the process under Section 82 has also been issued and thereafter, the petitioner has approached this Court. The anticipatory bail of the petitioner, on account of the aforesaid reason, is not maintainable in terms with the order of the Apex Court in the case of *Lavesh Vs. State (NCT of Delhi)* reported in *(2012) 8 SCC 730*. It is further contended that in course of investigation, the Superintendent of Police has supervise the matter and found the complicity of the petitioner and directed for attachment of the property of the petitioner on 28.06.2024 itself. The petitioner has approached this Court after seven years. The body of the deceased was found in the bush and thereafter sent for autopsy. Further, the post-mortem report clearly suggest that she was done to death by throttling.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the ample materials available on record, beside the fact that the



FIR was instituted long back in the year 2018 and the process under Section 82 has already been issued on 11.04.2024, before filing of the present application; this Court is not acceded to the prayer for anticipatory bail of the petitioner.

7. Accordingly, the anticipatory bail application stands rejected.

(Harish Kumar, J)

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