

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47434 of 2025

Arising Out of PS. Case No.-31 Year-2016 Thana- TELHARA District- Nalanda

Devendra Kumar Son of Late Rajdeo Yadav Village- Narayanpur, P.S.-
Hulasganj, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Daughter of Ramdeo Prasad village- Badalpur, Ps- Telhara,
Dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Adv.
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 21-01-2026 Heard Mr. Binod Murari Mishra, learned counsel for the
petitioner and Mrs. Sucheta Yadav, learned APP.

2. The petitioner apprehends his arrest in connection with
Telhara P.S. Case No. 31 of 2016 for the offence registered under
sections 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of the D.P. Act
lodged on 01.05.2016 by the informant, Soni Kumari.

3. The Telhara P.S. Case No. 31 of 2016 was lodged
against the petitioner under Sections 498A/34 of the Indian Penal
Code and $\frac{3}{4}$ of the D.P. Act. The anticipatory bail application traveled
to this Court and a Bench of this Court (Hon'ble Mr. Justice Dinesh
Kumar Singh as his Lordship then was) in Cr. Misc. No. 26850 of
2016 disposed it of on 21.07.2016 directing the Court concerned to
grant relief on the following terms:

*(i) on substantial restoration of the
matrimonial harmony;*

*(ii) or if the informant gets reluctant
to reconcile the issue; and*



(iii) or if the informant fails to appear before the learned Court.

4. It seems the petitioner failed to abide by the same and after nine years, preferred anticipatory bail application no. 311 of 2025 before the Court concerned. It was taken up on 16.06.2025 and recording the facts of the case as also the conduct of the petitioner, the same was rejected.

5. Aggrieved, the second anticipatory bail application of the petitioner.

6. After this Court took note of the fact that the petitioner chose to abscond for nine years without availing legal remedy, learned counsel for the petitioner submits that he may be permitted to withdraw the petition and surrender before the concerned Court in next four weeks.

7. If the petitioner surrenders in next four weeks and prays for bail, the Court concerned shall take the same into account and dispose it of preferably on the same day.

8. The anticipatory bail application stands rejected with the aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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