

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11074 of 2015

Arising Out of PS.Case No. -95 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Kundan Das son of Bino Das, resident of village- Pahari Gachi, Navka Tola
@ Lavka Tola, P.S.- Muffasil, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : None

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 30-07-2015 Heard learned counsel for the petitioner. None
appears on behalf the State.

The petitioner seeks anticipatory bail in connection
with Begusarai Mufassil P.S. Case No.95 of 2014 registered for
the offences punishable under sections 304-B and 201 read with
34 of the Indian Penal Code.

It is contended that the petitioner being brother-in-
law (*Dewar*) had no concern with day-to-day matrimonial affairs
of his brother Chandan Kumar with whom the victim is alleged to
have been married. It is further contended that co-accused Shobha
Devi, mother-in-law of the deceased, having more or less identical
allegation as against the petitioner has already been granted



anticipatory bail by a Bench of this Court vide order dated 13.7.2015 passed in Cr. Misc. No.24256 of 2015. Learned counsel for the petitioner has taken a plea that the victim was never subjected to cruelty and no demand of dowry was ever made from her. It has been contended that the victim left her matrimonial home without informing any one out of her own choice. Her whereabouts are not known.

I have perused the case diary. It would appear that the victim was married to Chandan Kumar on 14th February, 2013. Immediately after marriage Chandan Kumar and his relatives including the petitioner started demanding a Pulsar motorcycle. It is further alleged that the victim was being subjected to cruelty by her husband and his relatives for non-fulfillment of demand of motorcycle in dowry. It would appear that within one year of marriage the victim became traceless from her matrimonial home. The informant has raised suspicion that the victim might have been killed in her matrimonial home and her dead body would have been disposed of by the accused persons.

In reply to the query made by the Court, learned counsel for the petitioner could not give any satisfactory explanation whether any missing person report was ever registered by the husband of the victim or any of his relatives when the

victim left her matrimonial home without informing any one.

Keeping in mind the facts and circumstances of the case, I am of the opinion that the police may require custodial interrogation of the accused in order to solve the mystery. The offence seems to be serious in nature. In that view of the matter, I am not inclined to grant anticipatory bail to the petitioner even though co-accused Shoba Devi has been granted anticipatory bail by a Bench of this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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