

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54883 of 2016

Arising Out of PS.Case No. -482 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

=====
Kanhaiya Das, Son of Bal Krishna Das, resident of village - Masti Fatehpur,
P.S. Muffasil, District - Begusarai

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

=====
Appearance :

For the Petitioner : M/s. N.K. Agrawal, Senior Advocate & Vijoy Anand,
Advocate.

For the State : Mr. Ram Priya Saran Singh, A.P.P.

For the Informant : Mr. Manoj Kumar Singh and Ms. Kumari Anamika
Singh, Advocate.

=====
CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 15-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Muffasil (Lakho) P.S. Case No.482 of 2015 registered under
Sections 364/34 and, later on, added Section 302 of the Indian
Penal Code.

The allegation of the informant Archana Kumari is that
her mother Abhilasha Devi alias Asha Devi was the second wife
of her father Bal Krishna Das and there are four children of his
father from his first wife, namely, Ramsita Devi. On 21.11.2015,
her mother Abhilasha Devi alias Asha Devi was called by her



father Bal Krishna Das for partition of the property and, thereafter, her mother Abhilasha Devi alias Asha Devi alongwith her sister Urvashi and brother Ishu came at Begusarai Station from where they were accompanied by her father Bal Krishna Das to the house situated at village- Bishanpur. After that, at about 09.00 P.M., her mother Abhilasha Devi alias Asha Devi was accompanied by her father Bal Krishna Das for another house situated at village-Masti Fatehpur, where Ramsita Devi, the first wife of her father Bal Krishna Das, Gudia Devi, the wife of her step brother Kanhaiya Das and her step brother Kanhaiya Das used to reside. Thereafter, Bal Krishna Das, the father of the informant, returned to Bishanpur and handed over the mobile set of her mother Abhilasha Devi alias Asha Devi after breaking the same to the sister of the informant saying that her mother Abhilasha Devi alias Asha Devi has gone in missing, and to trace out her. The informant raised suspicion that her father, his first wife Ramsita Devi alongwith her children has committed the murder of his mother Abhilasha Devi alias Asha Devi at village- Masti Fatehpur and concealed her dead body.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. and the statement of Urvashi and Ishu, the sister and brother respectively of the



informant Archana Kumari, as detailed in paragraphs-3 and 4 of the case diary, that Abhilasha Devi alias Asha Devi, the step mother of the petitioner, was accompanied by Bal Krishna Das, the father of the informant, for village-Masti Fatehpur, where the petitioner alongwith his mother and wife used to reside but only Bal Krishna Das returned to village-Vishanpur and informed the sister of the informant that Abhilasha Devi alias Asha Devi, the mother of the informant, has gone in missing and her search would be made and, thereafter, the head of Abhilasha Devi alias Asha Devi, the mother of the informant, was recovered after one week from village-Masti Fatehpur, and, thereafter, beheaded dead body of Abhilasha Devi alias Asha Devi was found in a well situated in village-Shahpur Karbala, as detailed in paragraph-33 of the case diary. Except suspicion raised by the informant against the petitioner, who is her step brother, there is nothing to show the involvement of the petitioner in committing the murder of Abhilasha Devi alias Asha Devi, the mother of the informant Archana Kumari.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of Sri
Rahul Kishore, Judicial Magistrate, First Class, Begusarai, in
connection with Muffasil (Lakho) P.S. Case No.482 of 2015,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

