

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32210 of 2024

Arising Out of PS. Case No.-78 Year-2019 Thana- GUTHANI District- Siwan

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Bhim Kumar Gond @ Bhim Sah, Son of Deepnarayan Gond, Resident of
Village- maritar, P.S.- Guthani, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advocate
		Ms. Rana Neha Kumari, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Guthani P.S. Case no. 78 of 2019 registered under sections 304B, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter was married to the petitioner herein. He states that she was tortured by the accused persons for non-fulfillment of the demand of dowry. On 13.5.2019 at 10 a.m., he received information from the father-in-law of his daughter that she had disappeared from her house. The informant states that he apprehends that she has been killed and her body made to disappear.

4. It is submitted by learned counsel for the petitioner



that the petitioner is the husband of the daughter of the informant. Though the F.I.R was registered on 16.5.2019, however no direct allegations were levelled against him. His name transpired much later in course of investigation on 15.6.2019. At the time of the alleged occurrence, the petitioner was not at home but was working in Telangana. There is an inordinate delay of more than three days in lodging of the F.I.R. with no specific allegations having been levelled against this petitioner. So far as the father and mother of the petitioner are concerned they have been acquitted in the trial in the learned trial Court vide order dated 31.1.2024 passed in Sessions Trial no.198 of 2021. The petitioner undertakes to cooperate in the trial.

5. The application for anticipatory bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that the petitioner happens to be the husband of the daughter of the informant. In a case registered in the year 2019, even accepting that the name of the petitioner transpired in course of investigation on 15.6.2021, the application for anticipatory bail was moved only in the year 2024, after acquittal of the other co-



accused. No material has been brought on record by the petitioner as to what steps were taken by him pursuant to the disappearance of his wife, dead body of whom has not been recovered till date.

7. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

8. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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