

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15243 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- Bypass District- Bhagalpur

Rajnish Das Son of Bijay Das @ Vijay Das Resident of Village - Karampur,
P.O. - Khutaha, P.S. - Bypass, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard the learned Advocate for the petitioner, learned
Advocate for the informant and the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bypass P.S. Case No. 34 of 2024, registered for the offences punishable under Sections 364 and 120(B)/34 of the Indian Penal Code.

3. Allegedly, the petitioner who used to visit the informant's house and pretended himself to be unmarried. Meanwhile, the informant's younger sister and the petitioner fell in love and they got married. Later on, the informant came to know that the petitioner was already married and had children with the first wife. On 28.04.2024, the informant got an information that the accused persons named in the FIR had committed murder of his younger sister. The informant has expressed firm belief that the accused persons, including the



petitioner and other co-accused persons, in collusion with each other, had killed his younger sister and concealed her dead body.

4. Learned Advocate for the petitioner contended that the entire case is based on suspicion. There is neither any eyewitness to the alleged occurrence nor the substantive materials have been collected during the course of investigation. It is the admitted position that the deceased and the petitioner fell in love, leading to their marriage. To support the aforesaid contention, statement of Bank Account has also been placed on record in order to show that the petitioner has all along been paying sufficient amount to the deceased for her expenses. It is further contended that although informant got the information of the said occurrence at 09:15 PM on 28.04.2024, but instead of going to police station, he went to the village of the petitioner and the FIR was instituted in the evening of next day on 29.04.2024. It is lastly contended that the co-accused Dharmendra Das, Raj Kumar @ Ajeet Kumar @ Ajit Das, Rahis Das, Dinsh Das & Prabhakar Kumar @ Sautam Kumar @ Shoutam Das have been accorded the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 68932 of 2024.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that the complicity of the petitioner cannot be ruled out for the simple



reason that the available materials suggest that the deceased was done to death by the petitioner along with others and later on her dead body was buried in field and in course of investigation, it was recovered when foul smell started coming from there. It is further contended that if the wife of the petitioner went missing, it was the duty of the petitioner to inform the police but nothing has been done and, as such, the culpable intent is also present. It is lastly contended that, be that as it may, the petitioner happens to be husband of the deceased; moreover, prayer for other family member of the petitioner for anticipatory bail came to be rejected in Cr. Misc. No. 69911 of 2024 and in Cr. Misc. No. 70902 of 2024 vide order dated 10.02.2025.

6. Having considered the submissions advanced and the materials available on record, especially the materials collected during the course of investigation, this Court is not acceded to the prayer of the petitioner.

7. Accordingly, the anticipatory bail of the petitioner stands rejected.

(Harish Kumar, J)

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