

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48076 of 2014

Arising Out of PS.Case No. -72 Year- 2013 Thana -BALIGAON District- VAISHALI(HAJIPUR)

Pankaj Rai @ Pankaj Kumar, Son of Ganesh Rai, Resident of Village-
Balnathpur, Kuriya, P.S.-Baligaon, District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the State : Mr. Ajay Kumar No.1 (App)
For the Informant : Mr.Alok Kumar Alok, Advocate

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 29-01-2015 Heard the learned counsel for the petitioner, State and
the informant.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 366A, 364,
302 and 120B of the Indian Penal Code.

The allegation against the petitioner, his father and
others is that the petitioner wanted to marry with the deceased,
but it was not acceptable to his relatives. Thereafter, the
deceased was enticed away and later on, the petitioner married
the deceased. A complaint bearing Complaint Case No.3449 of
2013 was lodged by Sunaina Devi, mother of the deceased, on
the basis of which, Baligaon P.S. Case No.72 of 2013 was
registered.



It is submitted that according to the complaint case, the occurrence took place on 3/4-08.2013, whereas, the complaint case was filed on 4.10.2013. It is further submitted that during investigation, it has been found that the deceased had love affairs with the petitioner and the petitioner refused to marry, thereafter, the deceased consumed poison, but she survived. Later on, at the instance of father of the petitioner, a doctor injected poisonous substance, due to which, the deceased died. It is also submitted that during investigation, in paragraphs 53 and 54, the witnesses stated that due to love affairs between the deceased and the petitioner and in view of the fact that the elder daughter of the father of the deceased had solemnized inter-caste marriage, the father of the deceased along with his family members killed the deceased after giving her poison and to defend from that case, he cremated the dead body of the deceased hurriedly and after two months of the occurrence, the case was lodged. It is further submitted that the petitioner has no criminal antecedent and he is a student of B.Sc. (Agriculture) at Agriculture College, Dholi, Muzaffarpur.

Considering the facts and circumstances of the case, let the petitioner above-named be released on bail in the event of arrest or surrender within a period of four weeks on furnishing

bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Smt. Noor Sultana, Judicial Magistrate, 1st Class, Vaishali at Hajipur subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure and the other following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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