

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39606 of 2014**

Arising Out of PS.Case No. -141 Year- 2013 Thana -MINAPUR District- MUZAFFARPUR

Subodh Pandit, Son of Dewan Pandit, Resident of Village- Panapur Bangla  
Tola, P.S.- Minapur, Dist.- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Dr.Indiwar Kumari, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4      04-03-2015      Heard learned counsel for the petitioner and the learned  
counsel for the State.

The petitioner is in custody since 28.2.2014 in connection with Minapur P.S. Case No.141 of 2013 registered for the offence under Section 304B and other sections of the Indian Penal Code.

The allegation against the petitioner is that he was married to the deceased lady, daughter of the informant, in the year 2007 and of late had been demanding motorcycle.

It is submitted on behalf of the petitioner that there was no dispute whatsoever between the petitioner and his wife and they had been living happily and out of the said wedlock, two children were born, who are still living with the petitioner. It is

further submitted on behalf of the petitioner that the death of the lady had occurred due to illness and after a long wait of the informant and his family members, the dead body had to be cremated in presence of the villagers and witnesses. It is further submitted that in the case diary, this fact has been corroborated by independent witnesses. Furthermore, the F.I.R. in question has been filed after a delay of almost 15 days and no plausible explanation has been offered for the delay.

Considering the fact that the children are living with the petitioner, the period of custody and also the fact that there is no explanation for the delay in lodging the F.I.R., let the above named petitioner be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur P.S. Case No.141 of 2013.

**(Anjana Mishra, J)**

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