

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14906 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Dinesh Pandey Son of Rajendra Pandey, Resident of village -
Harikishunpur, P.S. - Buxar Industrial Area, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 06-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being husband of the victim is languishing in custody since 18.01.2015 in a case registered for the offences punishable under sections 304B/201/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after six years of marriage for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the victim was suffering from acute vomiting and diarrhea for which she was first taken to Gareb Nawaj Hospital at Dumraon and from there she was referred to Patna but by the

time the victim reached Patna she died. The death certificate was issued and then she was cremated at Patna after informing the informant's side. There is nothing on record to suggest that in the last six years of the married life there was any complaint with regard to dowry demand.

It is submitted by learned APP for the State, after going through the case diary that in paragraphs 3, 15 and 16 the witnesses had supported the prosecution case but in paragraphs 21 to 25 of the case diary the witnesses have suggested that the victim's condition deteriorated due to acute vomiting and diarrhea. The co-accused persons have been granted anticipatory bail vide Criminal Miscellaneous No. 3251 of 2015.

Considering the fact that the death took place after six years of marriage when the witnesses have supported this fact that the victim was suffering from acute vomiting and diarrhea and investigation has already concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial Area) P.S. Case No.50 of 2014.

Since the petitioner has criminal antecedent, learned

court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

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(Dinesh Kumar Singh, J)