

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6161 of 2016

Arising Out of PS.Case No. -199 Year- 2015 Thana -KATEYA District- GOPALGANJ

Budhisagar Pandey, S/o Ramendra Pandey, R/O Village- Bhagwanpur,
P.O.- Bhagipatti, P.S- Kateya, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate.

For the Opposite Party : Mr. Nand Kishore Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kateya P.S.
Case No. 199 of 2015 registered for the offences punishable under
Sections 304-B, 201 and 120B of the Indian Penal Code.

Mamta the daughter of the informant was married to
Sanjeet Pandey the elder brother of the petitioner on 01.05.2015
and allegedly due to non-fulfillment of the demand of dowry she
was being tortured by her husband and other in-laws and
ultimately she was killed and her dead body was also being burnt
but after arrival of the informant and police personnel the fire was
dozed and the dead body was sent for post-mortem examination.

Submission is of false implication and that the



petitioner is Dewar, at the time of occurrence he was not present rather he has gone to college, Ramendra Pandey and Dhanpati Devi father and mother of the petitioner have already been allowed pre-arrest bail, the petitioner has got no concern with the family affair of the deceased and her husband and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 04.12.2015, having no criminal antecedent.

The learned APP submits that though the petitioner is Dewar but the dead body was being burnt hurriedly.

In the facts and circumstances stated above, considering that father and mother of the petitioner have already been allowed pre-arrest bail by another coordinate Bench of this Court and as such considering the detention of the petitioner now the petitioner above named is directed to be released on bail on execution of 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, Gopalganj in connection with Kateya P.S. Case No. 199 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part

without any reason shall disentitle the petitioner from privilege of
bail.



(Jitendra Mohan Sharma, J.)