

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8042 of 2016

Arising Out of PS.Case No. -61 Year- 2014 Thana -PALASI District- ARRARIA

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Amar Kumar Pandit Son of Bhola Prasad Pandit Resident of Village -
Urlaha, P.S. - Palasi, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

A vakalatnama has been filed by Sri Anil Prasad Singh, Advocate on behalf of Santosh Kumar Pandit, son of Vidyanand Pandit, who claims to be the nephew of the deceased, but counsel for the petitioner draws my attention to paragraph 6 of the case diary wherein witness, Sudhani Devi, wife of Vidyanand Pandit has given her statement that the deceased was her sister-in-law and, hence, states that the said Santosh Kumar Pandit is the nephew of the husband of the deceased Udayanand Pandit.

Petitioner apprehends his arrest in connection with Palasi P.S. Case No. 61 of 2014 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.



The prosecution case, in brief, is that the maternal niece of the informant was married to co-accused Udyanand Pandit and after marriage, she was living with her husband happily. On 10.03.2014, her husband brutally assaulted and committed her murder with the help of her mother-in-law, father-in-law, Devar and others. On information when informant and others went to the matrimonial house of the deceased, they came to know that the dead body of the deceased has been disposed of by the accused persons with the help of the villagers.

It has been submitted by the learned counsel for the petitioner that petitioner is not named in the First Information Report and he has a clean antecedent. He submits that it has been alleged that the petitioner had illicit relationship with the deceased and as the deceased and petitioner were caught red handed by the husband of the deceased, the deceased committed suicide.

However, learned A.P.P. for the State submits that the son of the deceased has also stated that the deceased had illicit relationship with the petitioner and, hence, opposes the prayer for bail.

Be that as it may, since the allegation under the aforesaid sections are not supported by the prosecution, let the petitioner, above named, in the event of his arrest or surrender

before the Court below within a period of eight weeks from today,
be released on bail on furnishing bail bond of Rs. 10,000/- (Ten
thousand only) with two sureties of like amount each to the
satisfaction of learned Additional Chief Judicial Magistrate-III,
Araria in connection with Palasi P.S. Case No. 61 of 2014, subject
to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Nilu Agrawal, J.)

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