

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49005 of 2015**

Arising Out of PS.Case No. -282 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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Gautam Pandit Son of Ramjee Pandit Resident of Village -Agwani Babraha  
P.s Parvatta District Khagaria.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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

3      29-01-2016                      Heard learned counsel for the petitioner and learned  
A.P.P. representing the State.

The petitioner seeks bail in connection with Gopalpur  
P.S. Case No. 282 of 2014 registered for the offences punishable  
under Sections 341, 323, 498A, 304B, 201/34 of the Indian Penal  
Code.

Puspa      Devi,              the              daughter              of              the  
complainant/informant, was married to petitioner on 25.12.2007  
and allegedly, due to non fulfillment of demand of additional  
dowry she was tortured and assaulted and ultimately she was  
killed by the petitioner and other in-laws on 3.8.2014 and threw  
the dead body in the river.

Submission is of false implication and that there was



cordial relation between the petitioner and his wife and out of the wedlock there are three children, the wife of the petitioner fallen ill and when she was being brought for treatment at Bhagalpur, in the way, she died and due information was given to the informant and they participated in the cremation, as a matter of fact the wife of the petitioner died on 2.5.2013 which is evident from a copy of death certificate vide annexure-2, this case has been lodged on the basis of complaint petition filed on 7.8.2014 and as such the petitioner who is suffering in custody since 28.09.2015 deserves sympathetic consideration.

Learned A.P.P. opposes the prayer by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that from annexure-2 it reveals that the wife of the petitioner died on 2.5.2013 and further, this case has been lodged on the basis of complaint petition and as such petitioner 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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Gopalpur P.S. Case No. 282 of 2014, subject to the conditions that one of the bailors must be 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)**

siddharth/-

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