

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26314 of 2017

Arising Out of PS.Case No. -233 Year- 2015 Thana -GARKHA District- SARAN

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1. Deepak Pandey Son of Kushe Pandey, Resident of Village- Gauhar Basant, P.S.- Grkha, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 20.01.2017 in connection with Garkha P.S. Case No. 233/2015 for offences punishable under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Priyanka Devi was married to the petitioner in the year 2014 and due to non-fulfillment of demand of motorcycle he along with his family members has killed her and disposed off her dead body stating that she has been bitten by snake.

It has been submitted by the learned counsel for the petitioner that he is innocent, the deceased died due to snake bite



and he has committed no offence. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the dead body of the deceased was disposed off hurriedly by the petitioner and his family members.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of one year in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-V, Saran at Chapra, in connection with Garkha P.S. Case No. 233/2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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