

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25250 of 2017**

Arising Out of PS.Case No. -34 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Pankaj Kumar @ Pankaj Mandal, son of Late Chandeshwari Mandal,  
resident of Village-Barahari P.S. Bhawanipur, District Purnea

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      28-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bhawanipur P.S.Case No. 34 of 2016 registered for the offences punishable under Sections 304B, 201 and 120B/34 of the Indian Penal Code.

Petitioner is the husband and from perusal of FIR it appears that there is allegation of demand and torture against the petitioner also.

It has been submitted on behalf of the petitioner that it cannot be a case of dowry death as dead body has not been recovered and, as such, nobody can say that she has died. It has further been submitted that one Devendra Mandal has said that she was killed but Devendra Mandal has been granted bail and



petitioner is in custody since 10.6.2016.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that marriage is within seven years and there is no plausible explanation has been given against the petitioner about death, as such, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

However, as petitioner is in custody for more than one year, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same within a period of nine months.

With the above observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

spal/-

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