

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46572 of 2016**

Arising Out of PS.Case No. -295 Year- 2015 Thana -KHAJEKALAN District- PATNA

- =====
1. Jayanand Pandey S/o Late Sidheshwar Pandey
  2. Smt. Chinta Devi wife of Jayanand Pandey Both resident of Village- Bara Police Station Noor Sarai, District Nalanda, at present RM- Maurya Gali, Machcharhatta, Police Station- Khajekalan, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

with

**Criminal Miscellaneous No.46749 of 2016**

Arising Out of PS.Case No. -295 Year- 2015 Thana -KHAJEKALA District- PATNA

=====

BABLOO PANDEY @ BABLI PANDEY son of Jayanand Pandey, Resident of Village- Bara Police Station Noor Sarai District- Nalanda, At present resident of Maurya Gali, Machcharhatta, Police Station khajekalan, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

(In Cr.Misc. No.46572 of 2016)

For the Petitioner/s : Mr. Vinod Pandey, Adv.

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

(In Cr.Misc. No.46749 of 2016)

For the Petitioner/s : Mr. Vinod Pandey, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

3      11-01-2017      Heard learned counsel for the petitioners, learned  
A.P.P. and learned counsel for the informant.

The petitioners apprehend their arrest in Khajekalan



P.S. Case No. 295/2015, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The informant alleged that he married his daughter with Navin Kumar Pandey @ Dabloo Pandey son of the petitioners Jayanand Pandey and Chinta Devi ten years ago and his daughter gave birth to two children; one daughter aged about 08 years and one son aged about 05 years. The accused persons were demanding Rs. 5,00,000/- and threatening the deceased to kill her and her children. On 07.12.2015 petitioner Jayanand Pandey is said to have informed Shiv Shankar Pandey son of the informant that his sister got burn injuries from L.P.G. On the same day Navin Kumar Pandey @ Dabloo Pandey husband of the deceased disclosed that his sister died. The informant sent his relative to the hospital who saw that there was injury on the head and other parts of the body of the deceased.

Learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law and brother-in-law of the deceased. They have no manner of concern with the family affairs of the deceased and her husband Navin Kumar Pandey @ Dabloo Pandey. The marriage of the deceased was solemnized ten years ago and during the period of ten years neither the deceased nor the informant and his family members ever made any



complaint about the ill-treatment due to non-fulfillment of demand of dowry at the hands of the petitioners. Similarly situated co-accused namely, Seema Devi and another (sisters-in-law) of the deceased have already been enlarged on bail.

On the other hand, learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that from perusal of fardbeyan of the informant itself, it would appear that the deceased died in suspicious circumstances. The post-mortem report shows that there was smell of Kerosene oil from the body of the deceased and the deceased did not die in accidental fire. Petitioners are members of the joint family and they are equally responsible for the death of the deceased.

It appears that petitioners are father-in-law, mother-in-law and brother-in-law of the deceased and no specific allegation is made against the petitioners. The marriage of the deceased with Navin Kumar Pandey @ Dabloo Pandey was solemnized ten years ago and it has not been brought on record from the side of the informant that the deceased was ever tortured at the hands of the petitioners while she was living in her *Sasural* for last more than ten years.

Considering the facts aforesaid, the petitioners



above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Patna City, in connection with Khajekalan P.S. Case No. 295/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

