

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18580 of 2016**

Arising Out of PS.Case No. -211 Year- 2014 Thana -BELHAR District- BANKA

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1. Raj Kumar Pandit S/o Sushil Pandit Resident of village - Nimiya, Police  
Station - Belhar, District - Banka

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      11-10-2017      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in a case instituted under  
Section 304(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that he has killed  
the daughter of the informant due to non-fulfillment of the  
demand of dowry.

Earlier the bail application of the petitioner was  
rejected vide Annexure-1 to the present application with an  
observation “at this stage”, taking into account that the  
Superintendent of Police had recommended for submission of  
charge sheet under Section 306 of the Indian Penal Code.

A report was called for from the court below,  
regarding the stage of the case. It has been reported that on  
19.12.2015, charge has been framed under Section 304B of the



Indian Penal Code and summons have been issued upon the prosecution witnesses but none of the prosecution witnesses have turned up. It is further pointed out that the court is also vacant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He is in custody since 08.05.2015. Charge has been framed. There is no allegation of tampering of witnesses against the petitioner. In course of investigation, it had come in para-7 of the case diary that the deceased had committed suicide. No external injury was found on the body of the deceased during postmortem examination.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6<sup>th</sup> Additional Sessions Judge, Banka, in connection with S.T. No.357 of 2015, arising out of Belhar P.S. Case No. 211 of 2014.

Let viscera report be returned to the office of the Director, Forensic Science Laboratory, Patna, under sealed cover.

**(Sudhir Singh, J)**

Amit/-

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