

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63764 of 2018

Arising Out of PS.Case No. -393 Year- 2018 Thana -RUNISAIDPUR District- SITAMARHI

=====

Sajan Pandit, Son of Late Mahendra Pandit, Resident of Village- Thumma,
Police Station- Runnisaidpur, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party : Smt. Renuka Ratnakar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 304(B) and 201/34 of the
IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has been made accused in the present
case due to mistake of fact. There is no eye witness to the alleged



occurrence nor there is any other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the deceased. The onus is on him to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Runnisaidpur P.S. Case No. 393 of 2018, pending in the court of learned Incharge C.J.M. Sitamarhi.

Anyhow, if the petitioner surrenders and prays for regular bail in the learned court below, the same shall be considered on its own merit without being prejudiced by this order of the Court.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

