

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63180 of 2017

Arising Out of PS.Case No. -230 Year- 2017 Thana -TARAIYA District- SARAN

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Barud Pandit @ Barood Pandit son of Kameshwar Pandit Resident of
village Taraiyan Jhingna Tola Police Station Taraiya, District Saran at
Chapra.

.... Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 28-02-2018

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in
relation to Taraiyan P.S. Case No. 230 of 2017 registered
under Sections 304(B), 201/34 of the Indian Penal Code
corresponding to G.R. No. 5914/2017 pending before
learned A.C.J.M. – 9th, Chapra, Saran.

Learned counsel for the petitioner submits
that prior to lodging of the present case by father-in-law of
this petitioner on 25.08.2017, the petitioner had himself
lodged the F.I.R. on 16.08.2017 vide Annexure-2 to the
present application. Learned counsel submits that it was an
accidental death and the demand of dowry or death caused
by burning has not been substantiated in course of
investigation. It is also submitted that the petitioner has
now married to the younger sister of the deceased and there
has been a compromise as they are living happily.

On the other hand, learned Additional Public



Prosecutor for the State submits that in the case diary the re-statement of the informant as well as other witnesses support the case of the prosecution that the victim lady was burnt within two years of her marriage for non-fulfillment of the demand of dowry.

Having heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State, I am not inclined to grant anticipatory bail to the petitioner.

However, the petitioner, if so advised, may surrender in the court below and seek regular bail. If the petitioner prays for regular bail in the court below, his prayer shall be considered by the learned court taking into consideration the submissions advanced on behalf of the petitioner including that there had been much delay in lodging of the F.I.R. and without being prejudiced by the order of this court rejecting the prayer of anticipatory bail of the petitioner.

This application is disposed off.

(Rajeev Ranjan Prasad, J.)

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