

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14968 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- KESARIA District- East Champaran

1. RAM BINAY PANDIT, Son of Late Dayal Pandit @ Din Dayal Pandit Resident of Village- Sundrapur Badhai Tola, P.S.- Keshariya, District- East Champaran.
2. Dinesh Pandit, Son of Ram Binay Pandit Resident of Village- Sundrapur Badhai Tola, P.S.- Keshariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, being the father and brother of the husband of the victim, are languishing in custody since 02.01.2019 in a case registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 22.06.2018 submitted by Pramod Pandit to the Station House Officer, Kesariya Police Station is to the effect that the marriage of the niece of the informant, namely Pushpa Kumari was performed with Pradeep Pandit three years prior to lodging of the present case. Subsequently, the



married couple was blessed with a male child, but after sometime, the niece of the informant was subjected to torture for non-fulfillment of further dowry demand of a motorcycle. It is alleged that on 21.06.2018, all the in-laws family members, including the petitioners, killed the niece of the informant and disposed of the dead body of the victim.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim and the petitioners claim to be separate from the husband of the victim. The accusation is omnibus and general against the petitioner and the demand of dowry after three years of marriage appears to be unreasonable. Moreover, obviously the demand of motorcycle was made by the husband of the victim. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the petitioners are named in the FIR with accusation of killing the niece of the informant and disposing of the dead body.

Considering the thrust of accusation against the husband of the victim, coupled with statement made in paragraph no.3 of the petition that the petitioners are not



having any criminal antecedent, let the above named petitioners be released 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 learned CJM, East Champaran at Motihari, in connection with Keshariya P.S. Case No. 235 of 2018.

(Dinesh Kumar Singh, J)

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