

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7687 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Sanjeev Pandit @ Sanjeev Kumar, Son of Rajendra Pandit
 2. Rejendra Pandit, Son of Late Kokila Pandit,
Both resident of Village- Dhangama, P.S.- Telhara, District- Patna.
 3. Binod Pandit, Son of Ram Rup Pandit, Resident of Village- Shobh Nagar,
P.S.- Giriyak, District- Nalanda.

... .. Petitioners

Versus

1. The State of Bihar
2. Manju Devi, wife of Arjun Pandit, Resident of Village- Hajrat Sain, P.S.-
Dhanarua, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Adv.
For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 05-04-2019 Heard Sri Kishore Kumar Thakur, learned counsel
for the petitioners and Sri Parmeshwar Mehta, learned Addl.
Public Prosecutor.

Three petitioners, who are 1. elder brother of the husband of the deceased, 2. father-in-law of the deceased and 3. *nandoi* of the deceased (husband of sister of wife's husband), have approached this Court with a prayer to extend the privilege of bail, in the event of their arrest or surrender in Complaint Case No. 141(c) of 2018 registered for the offence under Sections 498(A), 304(B) and 201 of the Indian Penal Code.



At the very outset, it was submitted by learned counsel for the petitioners that as per complaint petition itself, death of daughter of the complainant occurred on 29-04-2017 in Government Hospital, Varanasi. To the reasons best known to the complainant, a complaint petition was filed much belatedly on 21-03-2018. It has been argued that had it been a case of demand of dowry, the complainant would have rushed to the police station for lodging a case, but without any plausible explanation, much belatedly a complaint petition has been filed.

Considering the fact that accusation was doubtful, only yesterday a co-ordinate Bench of this Court had entertained the prayer for anticipatory bail of husband of deceased and by order dated 04-04-2019 passed in Cr. Misc. No. 7203 of 2019, the husband of the deceased, who was arrayed as accused no. 1 in complaint petition, namely, Randhir Kumar @ Dhananjay Kumar has been extended the privilege of anticipatory bail.

Learned Addl. Public Prosecutor tried to oppose the prayer for anticipatory bail, but he was not in a position to dispute the fact that husband of the deceased has already been extended the privilege of anticipatory bail.

In such view of the matter, there is no reason to refuse the same relief to the petitioners. Accordingly, in the event of



their arrest or surrender within a period of six weeks from today, let aforesaid three petitioners, namely, 1. Sanjeev Pandit @ Sanjeev Kumar, 2. Rajendra Pandit and 3. Binod Pandit 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 learned Sub-Divisional Judicial Magistrate, Masaurhi, Patna in connection with Complaint Case No. 141(c) of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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