

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12472 of 2020

Arising Out of PS. Case No.-28 Year-2010 Thana- TISIAUTA District- Vaishali

SUJIT MISHRA @ PANDIT S/o Janardan Mishra R/o village- Nimez, P.S.-
Brahmpur, District- Buxar.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Baxi S.R.P. Sinha, Senior Advocate.
For the State	:	Mr. Umesh Lal Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

7 21-09-2020 Heard learned Senior counsel for the petitioner and
the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Tisiauta
P.S. Case No.28 of 2010 registered under Sections 304(B) and
201/34 of the Indian Penal Code.

The accusation is that the complainant/informant
Ravindra Jha performed the marriage of his daughter Pinki
Devi, according to Hindu customs, with the petitioner in the
year 2006 and, thereafter, his daughter was sent in Bidai with all
the gifted articles to her Sasural, where she led her conjugal life
for about one year and she was blessed with a female issue but,
thereafter, the husband (petitioner) of her daughter and other in-
laws used to torture her for demand of motorcycle and cash



Rs.1,00,000/- in dowry through various modes and they also tried to commit her murder under conspiracy. While Panchayati was arranged into the matter but no fruitful result came out and the daughter of the complainant/informant was again taken in Bidai by the petitioner on 25.11.2009. Thereafter, on 26.01.2010, the complainant/informant went to the sasural house of his daughter but he did not find his daughter there and the Sasural house of his daughter was also found locked. On query, the villagers informed the complainant/informant there that his daughter has been killed by all the accused persons and her dead body has been concealed.

Learned Senior counsel appearing on behalf of the petitioner submits that, in fact, the petitioner, who is the husband of the daughter of the complainant/informant used to do the work of labourer at Delhi and reside with his wife Pinki Devi and other family members. On 18.12.2009, Pinki Devi, the wife of the petitioner, was found talking on mobile and, thereafter, after sometime, she left the house. Thereafter, on 27.12.2009, the petitioner informed to his father-in-law Ravindra Jha (complainant/informant) and also tried to search his wife but no trace of her was found. Thereafter, when the petitioner was being threatened of dire consequences at the hand



of his father-in-law Ravindra Jha (complainant/informant), then the petitioner filed Inflammatory Petition No.281 of 2010 in the court of the Chief Judicial Magistrate, Buxar, on 15.02.2010 and, later on, Ravindra Jha, the father-in-law of the petitioner, filed Complaint Case No.184 of 2010 in the court of the Chief Judicial Magistrate, Vaishali at Hajipur, which was, under Section 156(3) of the Code of Criminal Procedure, sent to the concerned police station for investigation and institution of the case on which basis the present case has been lodged on 04.07.2010. Further submission is that the complainant/informant, in course of investigation, has stated before the Investigating Officer that he has no concern with his daughter and he does not want to contest the case, which has come in the order dated 06.12.2019 passed in B.P. No.1537 of 2019 by the Additional Sessions Judge-VII, Vaishali at Hajipur, whereby the prayer of the petitioner for grant of bail has been rejected. In fact, the daughter of the complainant/informant left the house of the petitioner, situated at Delhi, due to love affair with someone but with an ulterior motive, the complainant/informant has lodged the present case. The petitioner has no criminal antecedent and is in custody since 23.10.2019.

Having regard to the facts and the circumstances of



the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur, in connection with Tisiauta P.S. Case No.28 of 2010.

(Rajendra Kumar Mishra, J)

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