

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27912 of 2020**

Arising Out of PS. Case No.-242 Year-2019 Thana- TRIVENIGANJ District- Supaul

ARJUN PANDIT Son of Khatter Pandit Resident of Village - Champanagar,
P.S.- Raghapur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arun, Advocate

For the Opposite Party/s : Mr Sanjay Kr Sharma, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-11-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner.

Mr Sanjay Kr Sharma, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

The petitioner seeks bail in Tribeniganj Police Station (for brevity, *PS*) Case No 242 of 2019 earlier instituted for the



offence punishable under Sections 364/34 of Indian Penal Code (for brevity, *IPC*) but later on added with Section 302 of *IPC*.

Prosecution case is that the informant's sister has been done to death at her matrimonial home by her in-laws. The petitioner's implication is based on confessional statement of the victim's husband.

Petitioner's counsel submits that even as per the statement of the co-accused (husband), which has no evidentiary value, the only allegation against the petitioner is that he has assisted in concealing the dead body. The petitioner is a co-villager and distantly related uncle of the husband and on such implication, he is in custody since 26.11.2019 though he has no concern with the victim's matrimonial life in her matrimonial home. The petitioner has a clean past and it is a case of false implication.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Incharge Additional Chief Judicial Magistrate I, Supaul in



Tribeniganj PS Case No 242 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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