

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69139 of 2019

Arising Out of PS. Case No.-252 Year-2017 Thana- SARAI RANJAN District- Samastipur

HAJARI PANDIT @ HAZARI PANDIT Son of Naresh Pandit Resident of
Village-Musapur (Ghatha), P.S-Sarairanjan, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Prabhakar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 13-01-2020 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 17.12.2018 passed in Criminal Miscellaneous No. 66244 of 2018 with liberty to renew his prayer for bail after nine months if no substantive progress is made in the trial.

Petitioner seeks bail in a case registered for the offence punishable under Sections 304B, 302, 306/34 of the Indian Penal Code.

Informant in his written complaint has alleged that his daughter was married to petitioner in the year 2014 and after sometime of marriage petitioner and his family members started torturing her for non fulfillment of demand of motorcycle and cash of Rs. 5 Lacs. From the said wedlock one girl child was



also born who is about one year of age. On 13.12.2017, he was informed on his mobile that his daughter and grand-daughter have been killed by setting them ablaze after sprinkling kerosene oil and when he went to the matrimonial home of her daughter, he found both of them lying dead.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. It has further been submitted that at the time of occurrence petitioner was not present in the house and the victim committed suicide, as such charges have been framed under section 306 and 304B of IPC. It has been further submitted that out of 6 witnesses, five witnesses have turned hostile. Petitioner has got no criminal antecedent and is in custody since 11.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Sessions Trial No. 280 of 2018: 133 of 2018 arising out of Sarairanjan (Ghataho O.P.) P.S. Case No. 252 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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