

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35720 of 2021**

Arising Out of PS. Case No.-459 Year-2018 Thana- BANKA District- Banka

PAWAN PANJIYARA aged about 38 years Son of Niranjan Panjiyara
Resident of village - Jhirwa, P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 14-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Banka Police
Station Case No. 459 of 2018 registered for the offences
punishable under sections 328, 302/34 of the Indian Penal Code.

As per the prosecution case, informant's daughter was
married to the petitioner. However, after seven years she was
subjected to cruelty by the petitioner and his family members
due to sterility. In the meantime, on 30.6.2018 informant got
information that accused persons administered her poison.
Succeeding day the victim died during course of treatment.

Learned counsel for the petitioner submits that in fact
daughter of the informant herself consumed poison. Police after
investigation has submitted charge sheet for the offence u/s 306
IPC. Besides, there is general and omnibus allegation of torture



against all the accused persons and no specific overt has been alleged against the petitioner. Petitioner is in custody since 15.12.2020.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that the petitioner and his family members committed torture on the informant's daughter and in league with each other they killed her in a planned conspiracy.

In view of the specific allegation against the petitioner as well as the fact that the informant's daughter died under unnatural circumstance and the petitioner is the husband of the deceased, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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