

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38709 of 2020**

Arising Out of PS. Case No.-48 Year-2020 Thana- GAYA MUFASIL District- Gaya

RAMJEE PANDEY S/o Shambhu Pandey @ Chamari Pandey R/o village-
Sanaut, P.S.- Mufasil, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-07-2021 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Muffasil P.S. Case No. 48 of 2020 registered for the offence under Section 306/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. Petitioner is in custody since 11.02.2020.

As per the prosecution story, the informant alleged that petitioner was married with his daughter Ranju Devi according to Hindu rites. It is alleged that after time of her marriage she was tortured by the in-laws physically as well as mentally for non-fulfillment of dowry and demanding a cash of Rs. 2,00,000/- for purchasing of vehicle and ultimately the daughter of the informant herself set on fire and died during



course of treatment at P.M.C.H., Patna.

Learned Senior Counsel for the petitioner submits that the marriage between the petitioner and the deceased had taken place around 10 years ago, therefore no case under Section 304B I.P.C. has been registered and the allegation of demand of dowry is not correct. Learned Senior Counsel further submits that the victim had herself poured kerosene oil on her body and burnt herself, she was taken to the Hospital at Patna where she was died.

On the other hand, learned A.P.P. for the State has submitted from the case diary that there are eye witnesses available on the record who have said in course of investigation that this petitioner used to come at home after consuming toddy and under influence of the toddy he used to abuse and assault his wife. On the date of the occurrence also he had assaulted in presence of the Gotni and the daughter of the deceased. The Gotni and the daughter of the deceased have made statement in course of investigation and have stated so. The neighbour whose statement has been recorded in Paragraph '10' of the case diary has also stated that this petitioner had illicit relationship with a lady and whenever he used to reach his house after consuming toddy he was beating his wife.



Considering the facts and circumstances of the case wherein sufficient materials is present in the case diary showing that this petitioner was regularly assaulting his wife and on the date of the occurrence also the victim was assaulted whereafter she committed suicide, this court is not inclined to release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

