

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54789 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- KADIRGANJ District- Patna

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Pankaj Kumar Son of Dwrika Yadav @ Dwarika Prasad Resident of Village -
Baribigha, P.S.- Kadirganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-03-2022 Let the defects, if any, be removed within four

weeks from today.

Heard learned counsel for the petitioner as well

as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in

connection with Kadirganj P. S.Case No. 92 of 2020 for

the offences punishable under Section 302,201/34 of the

Indian Penal Code and cognizance was also taken under

section 306 of the I.P.C.

As per prosecution case, informant alleged that

the marriage of his elder daughter (deceased) was

solemnized with Pankaj Kumar ten year ago. After



marriage her in-laws started demanding different articles and also tortured her in various ways. The daughter of the informant had also made phone call and told that her in-laws were planning to kill her. Thereafter, her family members came to know that his daughter has been killed and the dead body of his daughter was found at village Gulariabigha.

Learned counsel for the petitioner submits that after investigation, the case is found true under section 306 of the I.P.C and charge sheet has been submitted against the husband of the deceased and cognizance has been taken under section 306 of the I.P.C. From perusal of the impugned order it appears that daughter of the deceased stated before the police that his father used to quarrel with her mother and due to which her mother jumped into the river and she committed suicide. Post Mortem report shows cause of death is drowning. Petitioner has got clean antecedent and he is in custody since 21.01.2021.

The learned A.P.P opposed the prayer for bail



of the petitioner and submits that several injuries on the hand of the deceased have also been found and there is allegation of torturing against all the accused persons. Petitioner is husband of the deceased.

Having heard the rival contentions of the parties and taking into consideration the fact that the case has been found true under section 306 of the I.P.C, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Masaurhi in connection with Session trial no. 458 of 2021 arising out of Kadirganj P.S. Case No. 92 of 2020, on the following conditions; “(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



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

(Harish Kumar, J)

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