

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55685 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- BANKA District- Banka

Naresh Panjiyara Son of Late Kuldip Panjiyara Resident of Village -
Babhangama, P.s.- Banka (Barahat), Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Banka
P.S. Case No. 128 of 2021 registered for the offence under
Sections 341, 323, 307, 498(A) and 34 of the Indian Penal Code
and under Sections 03 and 04 of the D.P. Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.07.2022.

The allegation against the petitioner is to cause death
of the sister of informant due to non-fulfillment of demand of
dowry, alongwith other family members/co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is father-in-law. Learned counsel also pointed out para-16 of the case diary, where statement of victim/injured is recorded stating thereof, that she committed suicide out of family frustration developed due to dispute related with partition of family property. It is submitted that there is no element of abatement, as per statement of victim, if taken into consideration against this petitioner. It is further pointed out that petitioner living separately, as surfaced during the course of investigation and, as such, having no control/connection with daily domestic affairs of the family of deceased. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail and submitted that the charge-sheet was submitted under Section 306 of the Indian Penal Code.

Considering the facts and circumstances as mentioned above, as petitioner is father-in-law and further by taking note of the statement of victim/injured/deceased coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Banka(Barahat) P.S. Case No. 128 of 2021 on furnishing
bail bond of Rs.10,000/- (Rupees Ten Thousand) with two
sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Banka/concerned court, subject to the
conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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