

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65574 of 2022

Arising Out of PS. Case No.-244 Year-2022 Thana- NADI P.S. District- Patna

1. BIRENDRA PANDIT @ PUTUS KUMAR PANDIT @ PUTUS KUMAR
Son of Arun Pandit Resident of- Kachchi Dargah, Alampur, P.S.- Nadi,
District- Patna
2. SUDHA DEVI Wife of Jitendra Pandit Resident of- Kachchi Dargah,
Alampur, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent, petitioner no.2 is a woman and the informant alleges that his sister was married to Biru Pandit about three years ago, further after marriage her husband and petitioners used to assault her about which his sister had complained many times, further on 15.06.2022, he was informed that his sister was killed by strangulation and



accordingly he reached the place of occurrence and came to know that his sister was admitted in K.K. Hospital where she was declared dead.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that the FIR does not even remotely suggest that after marriage dowry was being demanded, it is further submitted that as far as allegation of assault is alleged, the same is general and omnibus in nature and it absolutely does not stand to reason that if the victim had complained to the informant on several occasions with regard to the assault, then why no action was taken by the informant. Learned counsel submits that it appears that on account of dispute with the husband, the deceased had committed suicide, it is next submitted that petitioner no.1 is elder brother-in-law and petitioner no.2 is married *nanad* of the deceased and the husband of the deceased is already in custody since 16.06.2022.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nadi P.S. Case No. 244 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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