

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9091 of 2022**

Arising Out of PS. Case No.-95 Year-2021 Thana- ARA RAIL P.S. District- Bhojpur

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Dinesh Pandey @ Dinesh Kumar Pandey @ Dr. Dinesh Kumar Pandey Son
Of Ripunjay Pandey Resident Of Village- Dharmagatpur, P.S.- Shahpur,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Syed Mojibur Rahman

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

6 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 306 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, the deceased committed suicide due to the cruelty done by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that in the entire case diary there is no witness which have supported the prosecution and the police has also not verified the video clip. He submits that there is no specific overt act against the petitioner and the deceased died



due to railway accident. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that there is ample evidence against the petitioner in the case diary and due to harassment and cruelty done by the petitioner, the deceased have committed suicide. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Ara Rail P.S. Case No. 95/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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