

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31162 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Rajnish Kumar Pandey Son Of Aatma Ram Pandey Resident of Village-
Dighi Kala West, P.S-Hajipur Sadar, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
07.07.2022 in connection with Hajipur Sadar P.S. Case No. 506
of 2022, F.I.R. dated 04.07.2022 for the offences punishable
under Sections 341, 323, 498A, 504, 506, 304(B)/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

4. According to prosecution case, this petitioner along
with his family members under a conspiracy committed murder
of the daughter of the informant and hanged her dead body in
the fan due to non-fulfillment of demand of dowry of Rs. 2
lakhs.



5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the ground that the petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that in fact, the deceased has committed suicide herself and it has come during investigation that in the presence of police personnel and the informant, the police has break the door of the room and thereafter lifted the dead body of the deceased. He further submits that no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.07.2022.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 506 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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