

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41812 of 2022

Arising Out of PS. Case No.-145 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Pankaj Kumar @ Pankaj Chaudhary, Son of Lal Babu Chaudhary, Resident of Village - Mashina Kothi, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha, Adv. Mr. Shishir Kumar Shishir, Adv.
For the State	:	Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 201, 304(B)/34 of the Indian Penal Code.

The allegation against the petitioner and other co-accused person is that they killed the informant's daughter and concealed the dead body, due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is the husband of deceased and he used to keep his wife (deceased) with full dignity and honor. The informant is not the eye witness of the



alleged occurrence. There is no prior complaint in respect of harassment, cruelty and torture with the deceased. As per para 9 and 10 of the petition, when the petitioner came at his residence and his wife did not open the door in spite of several knock and call, in presence of Ramvir Rai and Roshan Kumar broken the door and found dead body of his wife in hanging position then petitioner informed Phillaur Police as well as informant. After receiving information, informant came at Phillaur and the dead body of his daughter was cremated in his presence which does not support the prosecution case. The petitioner has got no criminal antecedent. It is further submitted that the F.I.R. has been lodged by the informant after the delay of three months from the date of occurrence, which itself is dubious in nature. From perusal of post-mortem report, filed by A.P.P., doctor has opined the cause of death due to suicidal hanging. Moreover, the petitioner is languishing in judicial custody since 25.02.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to



enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bibhutipur P.S. Case No. 145 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Rosera, Samastipur.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

