

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46743 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- KUTUMBA District- Aurangabad

PANKAJ KUMAR MEHTA @ PANKAJ KUMAR VERMA @ GUDDU Son
of Dinesh Mehta R/v- Dadhapi, P.S- Kutumba, Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh. I, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Kutumba P.S. Case No. 157 of 2021 for the offence registered under Sections 304(B)/34 of the Indian Penal Code.

As per the FIR, the informant alleged that his younger daughter was married to one Law Kumar but from the date of marriage, she was tortured for want of dowry and finally on 22.09.2019, they came to know that she has been killed. Accordingly, they visited the in-laws house where it was informed that the villagers namely, Chandan Kumar Verma @ Chandan Mehta @ Chandan Kumar Mehta and this petitioner took away the body for throwing it in a river. On information, he rushed to the river but the accused persons fled away leaving the dead body. Accordingly, the FIR was lodged.



Learned counsel for the petitioner submits that he is a villager and so far as the demand of dowry and/or the killing part are concerned, no role has been attributed to him. Further, regarding disposal of the body, it is not the case of the informant that he has seen the occurrence rather he was informed that this petitioner along with another villager took away the body. The last submission is that another villager Chandan Kumar Verma @ Chandan Mehta @ Chandan Kumar Mehta who was also alleged to have taken the body has since been granted the relief of anticipatory bail vide Cr. Misc. No. 32775 of 2022 on 23.11.2022 by a Co-ordinate Bench of this Court.

Let the same be kept on record.

In view of the aforesaid facts that the petitioner is not related to the family nor there is allegation of demand of dowry or killing, the similar placed co-accused Chandan Kumar Verma @ Chandan Mehta @ Chandan Kumar Mehta has since been granted relief as stated above, he has no criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned C.J.M.
Aurangabad in connection with Kutumba P.S. Case No. 157 of
2021 subject to condition as laid down under Section 438(2) of
the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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

