

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62023 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

PUNIT PANDEY SON OF RAM PRABHAW PANDEY RESIDENT OF
VILLAGE- LEDARI, PS- CHAND, DISTT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 24.07.2023 in connection with Chand P.S. Case No. 224 of 2022, F.I.R. dated 27.07.2023 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, the informant alleges that her daughter was subjected to cruelty for non-fulfillment of demand of dowry and later she was killed by fastening rope around her neck.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that it is admitted fact that before lodging of the present FIR a



U.D. case was registered on 22.07.2022 and the present FIR was instituted on 27.07.2022. He further submits that it is admitted fact that at the time of the occurrence the petitioner who is husband of the deceased was residing at Mumbai for his livelihood and it has come during investigation that the deceased has committed suicide herself and after the U.D. case the present FIR is instituted and thereafter the informant has filed the application before the learned court below stating therein due to some misunderstanding she has filed the present FIR against the petitioner and his family members and the petitioner is in judicial custody since 24.07.2023.

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

6. 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 Additional Chief Judicial Magistrate-IV, Kaimur at Bhabua, in connection with Chand P.S. Case No. 224 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)

Adnan/-

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