

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65673 of 2023

Arising Out of PS. Case No.-545 Year-2022 Thana- MAHUA District- Vaishali

PANKAJ KUMAR @ KANHA S/o- PARMANAND SINGH Village-
Fatehpur Pakdi Ps- Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Chandra, Advocate Mr. Nivedita Chaudhary, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahua P.S Case no.545 of 2022 registered under sections 302, 341, 342, 323, 363, 364, 498A, 504, 506 and 34 of the Indian Penal Code and sections 3/4 of the D.P Act.

3. As per the prosecution case, the informant states that his sister was married to one Amlesh Kumar. The accused persons including the said Amlesh Kumar physically and mentally tortured his sister for non-fulfillment of the demand of dowry which was by way of a four wheeler vehicle. On 22.8.2022, he received information that his sister had been made to disappear and the house was locked. He apprehends that she



had been kidnapped for murder.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he is on friendly terms with the husband of the sister of the informant. No material has been transpired in course of investigation to connect the petitioner with any crime. The only material against him being relied on by the prosecution is the confessional statement of the husband of the informant's sister wherein he states that he talked to the petitioner on telephone, entered into a conspiracy with him and thereafter he threw the informant's sister ie his wife in the Saryu river in Ayodhya. It is submitted that even in the said confessional statement, no overt-act has been alleged against this petitioner who is in custody since 3.6.2023 and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired against the petitioner in course of investigation, his being in custody since 3.6.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Mahua P.S



Case no.545 of 2022 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Vaishali at Hajipur.

(Partha Sarthy, J)

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