

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66270 of 2022

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

Aatma Ram Pandey @ Atma Ram Pandey Son of Late Murlidhar Pandey R/v-
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, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-02-2023 Heard Mr. Mrityunjay Kumar, learned counsel appearing on behalf of the petitioner and Mr. Nitya Nand Tiwary, learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in connection with Hajipur Sadar P.S. Case No. 506 of 2022 registered for the offences punishable under Sections 341, 323, 498A, 504, 506 and 304B read with 34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

The prosecution case is based on the written report filed by the informant alleging therein that the marriage of the daughter of the



informant was solemnized with co-accused Rajnish Pandey. However, at the time of marriage, hefty cash and other valuables were given to the petitioner. It is further alleged that the daughter of the informant blessed with two children but later on she was subjected to torture in various ways on account of non-fulfillment of dowry and lastly she was done to death by the petitioner along with other accused persons.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that all the family members of the petitioner have been made accused with general and omnibus allegation. He further submits that the petitioner being father-in-law of the deceased has no concern with the affairs of the deceased and her husband as he had been separately residing. He next submits that during the course of postmortem, no ante-mortem injuries have been found over the body of the deceased and cause of death has been shown to be asphyxia due to hanging. He lastly submits that the petitioner is in



custody since 07.07.2022 having fair antecedent and, moreover, the husband of the deceased is behind the bar.

Per contra, learned counsel for the State submits that the daughter of the informant died within seven years of marriage and before her death, she was tormented over non-fulfillment of demand of dowry.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner being the father-in-law of the deceased has been residing separately and moreover the husband of the deceased is behind the bar, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 506 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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