

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70315 of 2022

Arising Out of PS. Case No.-189 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

MANISH PANDEY S/o Dinesh Pandey R/v- Krishanpura, P.S.- Ramgarh,
District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Session Trial No. 369 of 2022 arising out of Ramgarh P.S. Case No. 189 of 2022 dated 10.06.2021 registered for the offence under Sections 341, 323, 302, 304(B)/34 of the Indian Penal Code and 3 and 4 Dowry Prohibition Act.

The daughter of the informant is subjected to assault and torture on account of non-fulfillment of demand of dowry and she has finally been done to death.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated only on the ground that the petitioner happens to be husband of the deceased. He further submits that it appears from the F.I.R. that there is no allegation of assault or any overt act rather



general and omnibus allegation is attributed to the petitioner. The petitioner has never assaulted the deceased nor demanded any dowry in any manner from the family member of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated. The petitioner is rotting in judicial custody since 14.07.2022.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner on the basis of material available on record and the case diary and submits that the petitioner has committed murder of the deceased and the allegation as alleged in the F.I.R. is supported by the medical evidence. The doctor in postmortem report has opined that the deceased has sustained ante-mortem injury which is fatal and grievous in nature caused by ligature leading to strangulation.

Considering the facts and circumstances of the case and the nature of offence, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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