

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71432 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- KANHAULI District- Sitamarhi

Sanjit Kumar @ Amol Kumar @ Sanjeev Kumar Son Of Bindeshwar Mahto
R/O Village- Parsa Khurd, P.S.- Kanhauli, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 05-09-2023 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

It is a case of commission of murder of the
daughter of the informant by all her in-laws family
members including the petitioner for non-fulfillment of
dowry demand.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is husband of



the deceased. The marriage of the petitioner with the deceased was performed 12 years prior to the date of occurrence and out of the wedlock, there are three children who, at present, are residing with the petitioner and there was no prior complaint against the petitioner or his family members of making assault or demand of dowry. In fact, the deceased got infected with CORONA virus and died and the informant's side was also informed about the mis-happening. The informant, after lodging the F.I.R has realized the actual facts and filed a petition before learned Court below that at the instigation of other persons, he has filed the F.I.R against the petitioner and others. The said petition is annexed as Annexure-2 to the petition. The petitioner is languishing in custody since 20.04.2022. A statement has been made in para 3 of the petition that petitioner has clean antecedent.

In pursuance to the direction of this Court, the Superintendent of Police, Sitamarhi has filed the show-



cause and submitted that deceased died in Birganj (Nepal) during treatment and the postmortem was done in the Nepal itself and viscera was preserved. The viscera report is not available on record.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased and he was fully responsible for commission of murder of the deceased.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, 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 Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. Case No. 81 of 2021.

(Sunil Kumar Panwar, J)

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