

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50362 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- BANDHUWA KURAWA District- Banka

Manoj Panda S/o- Durga Panda Village- Palar Ps- Bandhua Kurawa Dist-
Banka

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 26-11-2024 Heard Mr. Ajay Kumar Mukherjee, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Bandhua Kuraba P.S. Case No. 09 of 2024 for the offences punishable under Sections 304(B), 341, 323, 504/34 of the IPC, lodged on 04.02.2024 by the informant, Gajo Devi.

3. As per the prosecution story, the informant alleged that the deceased was married to this petitioner but was tortured for dowry and on the fateful day, they committed murder. Accordingly, the FIR.

4. Though, a number of persons were made accused by the informant, the police after investigation found the allegation against the family members to be incorrect in view of the fact that the petitioner was in the same room where the dead body of the lady was found.



5. Learned counsel for the petitioner submits that a suicide story has been given the colour of murder for which he had already suffered by being in custody since 19.02.2024 (para-4 of the petition).

6. Learned APP, Mr. Jitendra Kumar Singh, on the other hand, pointed out that the trial is on and two witnesses have already been examined as per the trial court report. He further submits that the ligature mark has been found on the neck of the lady and as such, it cannot be said that it is a case of suicide.

7. Having gone through the facts of the case and the materials on record, the petitioner sleeping in the same room cannot exonerate himself from the responsibility. The trial is on and two witnesses have already been examined, in that background, it would be appropriate that he co-operates in the trial. The petition, for the present, stands rejected.

(Rajiv Roy, J)

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