

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53552 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- BELHAR District- Banka

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Nitish Kumar @ Nitish Kumar Pandit Son of Bindeshwari Pandit R/V-
CHANDAN NAGAR, P.S.- BELHAR, DISTT.- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Belhar
P.S. Case No. 255 of 2023 registered for the offences
punishable under Sections 326, 302, 34 of the Indian Penal
Code.

3. As per the prosecution case, the informant alleged that
her daughter was killed by the accused persons including the
petitioner by setting her on fire.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and he has committed no
offence. No such occurrence as alleged has ever taken place.
He has been falsely implicated in this case due to ulterior
motive. The allegation levelled against the petitioner is totally



false and based on concocted facts. There is no allegation with respect to torture due to non-fulfillment of dowry demand. As per the FIR, the informant admits that this petitioner informed him about his deceased wife having received burn injuries and immediately took her to Belhar Hospital for treatment from where she was referred to Bhagalpur hospital for better treatment, but unfortunately, she died during the course of her treatment. Petitioner has no role in the alleged occurrence. The real fact of the case is that the informant's daughter was suffering from epilepsy and on the alleged date of occurrence, she was attacked by epilepsy and got accidental burn while cooking food. Learned counsel further submits that charge sheet has been submitted against the petitioner. He has no criminal antecedent and he has been languishing in custody since 29.05.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the submissions made as well as the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Belhar P.S. Case



No. 255 of 2023.

7. Petitioner is directed to cooperate in the trial. If the petitioner fails to appear before the learned Court below on the two consecutive dates fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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