

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76787 of 2023

Arising Out of PS. Case No.-07 Year-2023 Thana- PALIGANJ District- Patna

1. Ram Chabila Pandey @ Chabila Pandey S/O Nav Rang Pandey R/O Village-Idilpur, P.S.-Paliganj, District-Patna
2. Dev Narayan Pandey S/O Ram Chabila Pandey @ Chabila Pandey R/O Village-Idilpur, P.S.-Paliganj, District-Patna
3. Shail Kumari Devi W/O Dev Narayan Pandey R/O Village-Idilpur, P.S.-Paliganj, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioner are apprehending their arrest in connection with Paliganj P.S. Case No. 07 of 2023, registered on 05.01.2023 for the offences under Sections 304B, 201/34 of the Indian Penal Code.

3. As per prosecution case, the informant gave a written report to the police about the petitioners and co-accused persons causing dowry death of his daughter. But there was no trace of the dead body.

4. Learned counsel for the petitioners submits that the petitioners are grandfather and parents of the husband of the



daughter of the informant, respectively. There is no specific allegation against the petitioners. The whole case is based on suspicion of the informant. The fact of the case is that the daughter of the informant left the house of the petitioners and fled away somewhere. Till date the police has not collected any material to substantiate the allegation against the petitioners and co-accused persons. Coming to know about mistake that he has lodged the case on wrong information, the informant has entered into a compromise with the petitioners. The husband of the daughter of the informant was living separately from the petitioners for about two years and the petitioners have no concern with the day-today affair of the daughter of the informant and her husband. The husband of the daughter of the informant has been apprehended and he is in custody. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the daughter of the informant went missing from the house of the petitioners within seven years of marriage and there is allegation of torture related to demand of money and vehicle.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering



the relationship of the petitioners with the daughter of the informant and further considering the lack of substantive material against the petitioners to connect them with the offence as alleged and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Danapur/concerned court in connection with Paliganj P.S. Case No. 07 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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