

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44336 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- BELHAR District- Banka

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Suraj Kumar Pandit S/o Parsuram Pandit R/o Village- Nawtoliya, P.S.- Belhar,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 15-11-2025 At the outset, this Court has taken note of the fact that truncated draft of the FIR is there in paragraph-5 of the petition inasmuch as the details after the informant got the information about the death of the daughter has not been incorporated in the said paragraph. The said attitude of the learned counsel for the petitioner is deprecated.

2. Heard the parties.

3. The petitioner is in custody in connection with Belhar P.S. Case No. 19 of 2025 for the offence punishable under Sections 80 and 3(5) of the B.N.S. lodged on 02.02.2025 by the informant, Mritunjay Pandit.

4. As per the prosecution story, the informant alleged that the victim lady was married to the petitioner on 18.04.2024 but she was tortured for dowry and on 31.01.2025 came to know about her death. Subsequently, they rushed to the daughter in-law's house where she was found lying on the bed, dead. All the accused



persons were absent and there was a white wire lying there under suspicion that she has been killed, the FIR.

5. Learned counsel for the petitioner submits that common dispute between the couple was there, it was new marriage, she could not adjust to the environment and committed suicide, the petitioner himself is aggrieved but now has become an accused and is in custody since 19.03.2025.

6. In this case, Coordinate Bench had called for the case diary and the *postmortem* report which have come and it shows that the cause of death has been recorded as asphyxia due to hanging.

7. Learned APP opposes the prayer for bail submitting that within a year of marriage, the death took place.

8. Allegation is there, the petitioner is in custody since 19.03.2025, the postmortem report shows that the death is due to asphyxia due to hanging, the strangulation allegation is not there and petitioner do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 19 of



2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

10. Nothing recorded in the present order shall be taken up at any stage in course of trial as it has been observed only for the grant of bail.

(Rajiv Roy, J)

Adnan/-

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