

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50125 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- KALYANPUR District- East Champaran

Chandan Kumar Pandey Son of Prema Nath Pandey Resident of Village -
Pakari Dixit, Post - Mirchaiya, P.S.- Kalyanpur, District - East Champaran
845412.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate Mr. Jawed Gaffar Khan, Advocate Mr. Arun Kumar Prasad, Advocate Mr. Rohan Kumar, Advocate
For the Opposite Party/s :		Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and Mr. B.N.
Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the informant was married to the petitioner. It is alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand. It is further alleged that she has been killed by strangulation.

4. Learned counsel for the petitioner has submitted that though the petitioner is the husband but from perusal of Annexure-P/2 it will transpire that the petitioner was in



Ahmedabad and when he came to know about the incident, he rushed to Patna thorough flight on 07.03.2024 and the occurrence is of 06.03.2024. It goes to show that he was not present at the house when the occurrence took place. Learned counsel for the petitioner has further submitted from perusal of the post-mortem report also it will transpire that the Doctor has found the cause of death as Asphyxia due to hanging. No antemortem injury was found on the person of the deceased. Learned counsel for the petitioner has further submitted that the informant has given a petition before the jurisdictional Magistrate that due to some misconception, the case was filed. It has also been submitted that in this case, trial has begun and during trial the brother of the deceased have given his evidence and in his evidence he has stated that the deceased was mentally ill and he has also submitted that he and his father has participated in the cremation of the deceased. The petitioner is a man of clean antecedent and is in judicial custody since 18.10.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be released on bail in connection with Kalyanpur P.S. Case No. 61 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-VIII, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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