

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50662 of 2025

Arising Out of PS. Case No.-219 Year-2023 Thana- WAJIRGANJ District- Gaya

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Guddu Pandey @ Gudde Pandey, aged about 42 years (M), S/o Late
Devanandan Pandey, R/o Village- Belway, P.S.- Wazirganj, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	M/S. Sharda Nand Mishra, Deepak Kumar and Ms. Isha Mishra, Advocates
For the Opposite Party	:	Mr. Rajendra Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Wazirganj P.S. Case No. 219 of 2023 dated 20.04.2023 registered for the offences punishable under Sections 328, 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have killed the informant's sister by poisoning due to non-fulfilment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner neither



tortured nor demanded any dowry from the sister (deceased) of the informant. The petitioner is the husband of the deceased. It is further submitted that the petitioner was not present on the alleged date, time and the place of occurrence while the deceased took poison after closing her room. It is further submitted that during the course of investigation, it transpires that the petitioner and police came at the place of occurrence and opened the door of the room and she was brought to the hospital for treatment. It is further submitted that from perusal of the F.I.R., it appears that the marriage took place between the petitioner and the deceased 11 years ago but no any complaint has been made against the petitioner. It is further submitted that the deceased died because she herself took poison which will be evident from the inquest report. It is further submitted that the informant, during the course of trial, has stated that the deceased took poison which was used for cultivating the field and he has been declared hostile. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and has further submitted that the petitioner is named in the F.I.R. and he is the husband of the deceased. He has further stated that the



petitioner and the other co-accused persons have killed the sister of the informant by poisoning due to demand of dowry.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and the same is rejected with a direction to the petitioner to surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order and the learned court below may consider the prayer for regular bail of the petitioner without being prejudiced of the order of this Court in connection with Wazirganj P.S. Case No. 219 of 2023, pending in the court of learned A.C.J.M.-Ist, Gaya.

7. Accordingly, the anticipatory bail application of the petitioner stands rejected.

(Chandra Prakash Singh, J)

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