

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75501 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- TURKI KHARARU District- Muzaffarpur

Shyam Kishore Pandey Son of Late Ram Badan Pandey R/O- Dariyapur Kafen, P.S.- Turki, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 76063 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- TURKI KHARARU District- Muzaffarpur

Sunit Kumar Pandey @ Sumit Kumar Pandey @ Sunit Kumar Son of Shyam Kishore Pandey R/O Vil.- Dariyapur Kafen, P.S.- Turki, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 75501 of 2024)
For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad
(In CRIMINAL MISCELLANEOUS No. 76063 of 2024)
For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Since both cases mentioned above arise from the same police station case, both are being taken up together.

2. Heard learned Counsel for the petitioners and learned APP for the State in both the cases mentioned above.

3. The petitioners in both the cases are apprehending arrest in connection with Turki P.S. Case No. 84 of 2024



registered on 05.06.2024 for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

4. As per the prosecution's case, the present F.I.R. has been lodged against five named accused persons, including the present petitioner, with allegations of assault and torture upon the informant's sister. It is further alleged that the accused persons ultimately caused the death of the informant's sister. The accused are also alleged to have taken her body to the railway track, where it was struck by a train. In an attempt to hide the evidence, they tried to move the body of the victim and burn it by placing it on a cot in a distant forest.

5. It is submitted by learned counsel for the petitioners in both the cases that the petitioners are innocent and have committed no offence. The accusation is omnibus and general. Petitioner Shyam Kishore Pandey is the father-in-law of the victim and is aged about 63 years whereas petitioner Sunit Kumar Pandey is the husband of the victim. The antecedents of the petitioners are clean. Learned counsel further submits that the mental state of the informant's sister was not good and she was receiving medical treatment for depression for over a year. In support of the said submission, the petitioners have attached a



prescription of the doctor, as contained in Annexure-2 (series) to both the petitions.

6. Learned APP for the State opposes the prayer for bail of the petitioners in both the cases aforementioned.

7. In the aforesaid facts and circumstances, let petitioner Shyam Kishore Pandey (in Criminal Miscellaneous No. 75501 of 2024) be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM (West) Muzaffarpur, in connection with Turki P.S. Case No. 84 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. However, considering the fact that petitioner Sumit Kumar Pandey (in Criminal Miscellaneous No. 76063 of 2024) being husband of the victim, this Court is not inclined to enlarge him on bail. Accordingly, the prayer for bail is hereby rejected.

(Dr. Anshuman, J)

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