

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75398 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Ganesh Pandit S/o Late Ramsunder Pandit R/o Village- Aruan, P.S.-
Bhagwanpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 80 and 3(5)
of the B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is aged about 80
years and the informant alleges that her daughter was married to
Awadh Kishor Pandit on 27.05.2021, after marriage the accused
were torturing her for demand of Rs.2 lacs, the informant on
coming to know went to the house of the accused persons to
reason out but they did not listen, further from the wedlock a
child was born, next alleges that on 21.03.2025, informant came
to know that victim was killed, accordingly, she informed her



mother-in-law who came to the place of occurrence and saw the dead body lying and accused persons had fled, accordingly, police was informed, further the informant came from Bhopal on 23.03.2025 and instituted the instant FIR.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand of dowry is general and omnibus in nature. It is also submitted that informant is not an eyewitness to the occurrence. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that on coming to know about the death of her daughter, she immediately called her mother-in-law who came to the place of occurrence where the dead body was lying and the police was informed. It is submitted that had the petitioner been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal the evidence. It is next submitted that no doubt the occurrence took place within 7 years of marriage and presumption in law is against the husband of the deceased and his family members but all deaths are not dowry death. It is also



submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is next submitted that petitioner is aged about 80 years and is nearing his grave and has remained a person with clean antecedent all though out but all of a sudden has been made a criminal with an allegation that he was also involved in the occurrence of killing of the deceased. It is next submitted that husband of the deceased is in custody. It is next submitted that the cause of death has been opined to be asphyxia due to hanging, which amply demonstrates that on account of dispute with her husband, the victim committed suicide. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhagwanpur Hat P.S. Case No.106/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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