

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83673 of 2024

Arising Out of PS. Case No.-470 Year-2024 Thana- BUXAR District- Buxar

Arjun Pandey @ Chandan Pandey S/o Akhileshwar Pandey Resident of village-Gayatri Nagar Syneshwar Sthan Buxar, P.S. Buxar (Town) District- Buxar Permanent Address Unwas, P.S. Itarhi, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha 1, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Buxar Town P.S. Case No. 470 of 2024 instituted for the offences under Sections 80, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner alongwith the family members tortured and killed the deceased for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is the husband of the deceased. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. He further contended that this petitioner never tortured or committed the murder of the deceased as a matter of fact, the deceased herself committed suicide. Police, after investigation submitted charge-sheet against the petitioner under Section 108 of the Bharatiya Nyaya Sanhita, 2023. He further contended that even as per post-mortem report, the cause of death was due to asphyxia as a result of suicidal hanging. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, charge-sheet being submitted against the petitioner under Section 108 of the Bharatiya Nyaya Sanhita, cause of death as per post-mortem report as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of Court
below/concerned Court in connection with Buxar Town P.S.
Case No. 470 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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