

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78340 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Sumit Kumar Pandey @ Sumit Pandey Son of Late Birendra Pandey @
Birendra Tiwari Resident of Village - Dindayalpur, P.S.- G.B. Nagar, District -
Siwan, Bihar - 841506.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Rananjay Kumar, learned counsel for the

petitioner and Mr. Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
22.01.2025 in connection with S. Tr. No. 179/2025, arising out
of G. B. Nagar P.S. Case No. 314 of 2024, F.I.R. 19.06.2024 for
the offences punishable under Sections 304(B), 201/34 of the
Indian Penal Code and section 3/4 of Dowry Prohibition Act.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have killed the daughter of the
informant due to non-fulfillment of demand of Rs. 5,00,000/-
(Rs. Five Lakhs) and a Bullet motorcycle as dowry.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the petitioner has been made accused in the present case merely on the ground that he is the husband of the deceased. It appears from the F.I.R. that although petitioner is named in the FIR but there is no specific allegation of assault, overt act and demand of dowry is attributed against him rather there is general and omnibus allegation against all the accused persons including this petitioner. In fact, the victim has received gas fire injury and the petitioner had admitted her in Siwan Sadar hospital. Later on, petitioner had admitted her in Heritage hospital, Gorakhpur where she died and the petitioner and other family members informed the family members of the deceased and cremation had been took place at Gorakhpur itself. Learned counsel further submits that the petitioner had deposited Rs. 40,000/- in the name of the deceased in Heritage hospital, Gorakhpur on 16.06.2024 which appears that the petitioner has deposited the amount in question in hospital for treatment of his wife. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.01.2025.

5. Learned APP for the State has vehemently opposed



the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge- 2nd, Siwan Judicial Magistrate, Sherghati, Gaya (Bihar) in connection with S. Tr. No. 179/2025, arising out of G. B. Nagar P.S. Case No. 314 of 2024, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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