

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28668 of 2015

Arising Out of PS.Case No. -169 Year- 2014 Thana -FALKA District- KATIHAR

=====

1. Pankaj Mandal son of Sri Satya Narayan Mandal resident of Village -
Kabelasia, P.S. - Falka, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Falka P.S.
Case No. 169 of 2014 registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

The petitioner being the husband of Sanjo Devi, the
daughter of the informant, due to non-fulfillment of demand of
bed and motorcycle, alongwith other co-accused, killed her within
three years of marriage.

Submission is of false implication and also that the
informant was informed regarding serious condition of the
deceased that the deceased died natural death due to illness. In
postmortem the cause of death has not been ascertained and
viscera have been preserved. The petitioner is in custody since

18.07.2014 and, as such, he deserves sympathetic consideration as other co-accused have been allowed bail.

The learned A.P.P. opposes the prayer of bail by submitting that during investigation independent witnesses vide Para - 9 and 10 have stated that Sanju Devi was being assaulted by the petitioner due to non-fulfillment of demand of bed and motorcycle and in postmortem, antemortem injuries have been found on the person of the deceased.

In the facts and circumstances stated above, considering that there is allegation for demanding dowry by way of bed and motorcycle and independent witness Nanhki Devi vide para-10 of the case diary has stated regarding assault, which finds support from inquest report and postmortem report and, as such, this Court is not inclined to enlarge the petitioner on bail and accordingly, such prayer stands rejected and accordingly this application is dismissed.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months failing which the petitioner will be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

sushma/-

U			
---	--	--	--