

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49468 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -KURSAKANTA District- ARRARIA

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1. Pramod Mandal Son of late Nathuni Mandal Resident of Village -
Muratipur P.s Kursakanta, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. M.K. Khare (App)

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

4 23-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 328/34 of the I.P.C

Munni Devi @ Bugni Devi, the daughter of the
informant, was married to the petitioner and allegedly due to non
fulfillment of demand of dowry by way of motorcycle, one she-
buffalo and cash of Rs. 75,000/- she was being assaulted and
tortured, her ornaments were also stolen away and lastly she was
assaulted and was administered poison causing her death by the
petitioner and other in-laws.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, against the



petitioner there is no specific allegation, the marriage has taken place more than seven years ago, out of the wedlock there is one daughter, as a matter of fact some ornament was stolen away and one *Tantrik* told that the ornaments are in the house resulting there was some dispute, the allegation of demand of dowry is super addition, the doctor who has conducted the postmortem examination has not found any external injury on the person of the deceased and as such no definite opinion has been given regarding the cause of death and without obtaining Forensic Science Laboratory report of viscerae charge sheet has already been submitted and as such there is no chance of tampering with the prosecution evidence, the petitioner is in custody since 30.02.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, considering that no external injury has been found on the person of the deceased, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 3rd Additional Sessions Judge,

Araria in S.T. No. 242 of 2015 arising out of Kursakannta P.S. Case No. 08 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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