

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36515 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -BENIPATTI District- MADHUBANI

- =====
1. Kunal Mandal
 2. Singheshwer Mandal @ Sidheshwar Mandal
 3. Kaushik Mandal @ Govinda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 03-10-2016

The learned counsel for the petitioners submits that petitioner No.3, Kaushik Mandal @ Govinda, husband of the deceased, has already surrendered in the court. Accordingly, the prayer for anticipatory bail of petitioner No.3 is dismissed as has become infructuous.

Heard both sides.

The petitioner No.1, Kunal Mandal and petitioner No.2. Singheshwer Mandal @ Sidheshwar Mandal apprehend their arrest in Benipatti P.S. case No. 170 of 2015 under Section 304B/34 of the Indian Penal Code.

The uncle of the deceased alleged that his niece was married to Kaushik Mandal about four years ago but her father-in-law, husband and other family members were demanding ornaments, money and buffalo.

The learned counsel for the petitioners submits that

petitioners are brother-in-law and father-in-law of the deceased and omnibus and general allegation is made against them. The petitioners never demanded any dowry and they are living in Gujarat. The deceased was living with her mother-in-law and she committed suicide. The husband of the deceased has already surrendered in the court.

Considering the fact that omnibus and general allegation is made against the petitioners, who are brother-in-law and father-in-law of the deceased, and neither the deceased nor her family members made any allegation of demand of dowry against the petitioners, during four years of her marriage, the above named petitioners No.1 and 2, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 Sub-divisional Judicial Magistrate, Benipatti, Madhubani in Benipatti P.S. Case No. 170 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--