

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12363 of 2016

Arising Out of PS.Case No. -471 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Ravindra Mandal @ Ravindra Kumar Mandal, S/o Late Sonelal Mandal,
resident of Village- Ogari , P.S- Kahalgaon, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. L.K. Sharma (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 10-05-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kahalgaon P.S. Case No.471 of 2015 for allegedly having
committed the offence under Section 304B/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
actually it is not a case under Section 304B I.P.C. The marriage
in question took place in the year 2008 whereas the occurrence
is towards the end of the year 2015. As such, Section 304B
I.P.C. is not attracted in the present case.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that all
along in the case diary it has come on record that the deceased

lady was of temperamental nature. It is further submitted that other witnesses have also stated that the victim lady had committed suicide by hanging herself. *Gotani* and other close relatives had tried to revive the deceased, but she could not be revived. It has also come on record that the husband of the lady was sleeping in an adjacent room after having returned from the night duty performed at the NTPC.

From the materials which have come in the case diary and as there is no cogent material to show that there is previous mental torture inflicted by the present petitioner, who is the husband of the deceased, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgoan P.S. Case No.471 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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