

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11745 of 2017

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

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1. Kaushik Mandal @ Gobinda Son of Sidheshwar Mandal @ Singheshwar Mandal, Resident of Village- Pali Majhala Tola , P.S.- Benipatti, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Benipatti P.S.Case No.170 of 2015, registered for offences punishable under Sections 304(B)34 of the Indian Penal Code.

The petitioner is husband. There is allegation of dowry against the petitioner.

It is submitted on behalf of the petitioner that the F.I.R. itself shows that he was not present at the place of occurrence rather he was at Gujarat and there is allegation that on phone, he was torturing her. It is further submitted that even from the F.I.R. and as a matter of fact she has committed suicide. The petitioner has been falsely implicated in his case and he is in custody since 27.9.2016.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Benepatti, Madhubani, in connection with Benipatti P.S.Case No.170 of 2015 dated 07.09.2015.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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