

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49697 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -BELHAR District- BANKA

- =====
1. HAPPU MANDAL @ HAPPU @ HABBU MANDAL
 2. Naresh Mandal
 3. Bhanu Mandal @ Bhannu Mandal
All sons of Late Ramni Mandal, All resident of village Kashidih,
P.S. Belhar, District Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The petitioners are the full-brothers of the husband of Gunjan Devi, the alleged victim of dowry death who died within seven years of marriage in her matrimonial house in unnatural circumstances. There is allegation of demand of dowry and torture for the same.

Learned counsel for the petitioners submits that the husband is already in custody. The petitioners are separate from the husband of the deceased or other family members. Most of the



witnesses have stated that due to quarrel with the mother-in-law, the victim committed suicide.

Learned counsel for the State submits that the family members of the informant have supported the allegation of demand of dowry and torture for the same soon before the death.

Considering the facts that the presumption of dowry death is to be rebutted by the petitioners, I am not inclined to enlarge them on anticipatory bail in connection with Belhar Police Station Case No. 141 of 2016 pending in the court of learned Sub-Judge-III-cum-Additional Chief Judicial Magistrate-III, Banka.

Hence, prayer for bail is refused.

However, prayer for regular bail of the petitioners shall be disposed of without being prejudiced by this order.

(Birendra Kumar, J)

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