

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17871 of 2017

Arising Out of PS.Case No. -190 Year- 2015 Thana -PIPRA District- SUPAUL

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Raj Kumar Mandal, S/o Late Ramdeo Mandal, resident of village - Bela
Nirmali, P.S. Pipra, District – Supaul. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Vivek Kumar, Advocate

For the Opposite Party : Mr. Umanath Mishra (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 23-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 190 of 2015 registered for the offences punishable
under Sections 498(A), 304(B) and 201/34 of the Indian Penal
Code.

Rita Kumari, the daughter of the informant was
married with the petitioner 4-5 years ago and after sometime
petitioner and others started demanding additional dowry by way
of rupees one lakh and due to non-fulfillment they used to torture
and assaulted her. Panchayati was also done but the accused
persons remained adamant and ultimately on 29.11.2015 the
petitioner and others killed Rita Kumari after pressing her neck
and cremated the dead body to screen the evidence.

Submission is of false implication and that the
petitioner has never demanded anything, he never tortured his



wife, he has got no criminal antecedent. As a matter of fact, the marriage has taken place in the year 2004 and the name of the wife of the petitioner was Anita Devi. No offence under Section 304(B) of the I.P.C. is made out. The wife of the petitioner fell ill just after marriage, she was being treated sine long, ultimately she was referred to D.M.C.H., Darbhanga on 27.11.2015 but complication developed, she was brought to Sadar Hospital, Supaul and in course of treatment she died thereafter the informant was informed who along with his son participated in funeral of the deceased and thereafter lodged this false case, without any fault the petitioner is suffering in custody since 21.10.2016.

The learned A.P.P. opposes the prayer of bail by submitting that during investigation the witnesses have supported the allegation that dowry was being demanded and due to non-fulfillment she was killed.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Pipra P.S. Case No. 190 of 2015, pending in the court of learned Chief Judicial Magistrate, Supaul.

(Jitendra Mohan Sharma, J.)

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