

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4352 of 2018

Arising Out of PS. Case No.-350 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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Ganesh Mandal S/o Jago Mandal, R/o Village- Telhan, P.S.- Sadar Darbhanga,
District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. UMA SHANKAR PRASAD SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 304B, 498A/34 of the Indian Penal
Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture and thereafter killed the victim due to non-fulfilment of
demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 09.09.2017 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-
sheet/prosecution report has been submitted in this case. The



petitioner has been made accused due to mistake of fact. The number of witnesses who have been examined, whose statements have been recorded in paragraph 14, 15 and 16 of the case diary, have stated that the deceased has committed suicide. The said witnesses are the independent witnesses and are the residents of the same village where the place of occurrence is situated. Their evidence cannot be discarded.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 350 of 2017.

(Sudhir Singh, J)

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