

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23367 of 2019

Arising Out of PS. Case No.-209 Year-2017 Thana- BHARGAMA District- Araria

NITISH KUMAR MANDAL, Male, aged about 25 years, Son of Radhey Shyam Mandal Resident of Village - Pekapur, P.S.- Bhargama, Distt - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gopal Kumar Jha, Advocate.
For the Opposite Party : Mr.Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 11.09.2018 in a case for the offence registered under Sections 304(B)/34 of the IPC..

The prosecution story, in brief, is that the accused persons including the petitioner killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant has filed an application in the



learned court below where he has retracted from his earlier statement made in the F.I.R. vide Annexure-2 to the present application. The present case has been instituted due to mistake of fact.

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

Considering the aforesaid facts and circumstances, let 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 the learned C.J.M., Araria, in connection with Bhargama P.S. Case No. 209 of 2017 (G.R. No. 3108 of 2017).

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

