

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1184 of 2019

Arising Out of PS. Case No.-244 Year-2009 Thana- COMPLAINT CASE District- Banka

Jyotish Mandal s/o Dinesh Mandal r/o village Sakri, P.S. Bounsi, District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar and Anr. Bihar
2. Bharti Devi d/o Prabhash Sharma Village - Naripa, P.S.-Rajaun Distt.-Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Kumar Sinha

For the Opposite Party/s : Mr.Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 29-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Complaint Case No. 244 of 2009** registered for the offence punishable under Sections 498A and 323 of the Indian Penal Code.

Allegation against the petitioner is of torturing the complainant for non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner never demanded dowry or subjected her to cruelty. Petitioner has got no criminal antecedent and is in custody since 24.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate-Banka** in connection with **Complaint Case No. 244 of 2009**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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