

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54665 of 2019**

Arising Out of PS. Case No.-115 Year-2019 Thana- KASBA District- Purnia

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1. BRAJKISHOR MANDAL Son of Khagendranath Mandal Resident of Village- Durgapur, P.S.- Kasba, District- Purnia.
  2. Tripti Devi wife of Brajkishor Mandal Resident of Village- Durgapur, P.S.- Kasba, District- Purnia.
  3. Rakesh Kumar Mandal @ Rakesh Kumar Son of Brajkishor Mandal Resident of Village- Durgapur, P.S.- Kasba, District- Purnia.
  4. Tuhin Kumar @ Tuhin Son of Brajkishor Mandal Resident of Village- Durgapur, P.S.- Kasba, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                            |
|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. Raj Kumar, Adv.        |
|                          |   | Mr. Vijay Kumar, Adv.      |
| For the Opposite Party/s | : | Mr. Umeshanand Pandit, APP |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

4      16-11-2019                      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kasba P.S. Case No. 115 of 2019, disclosing the offence under Section 304-B of the Indian Penal Code and Section 4/5 of the Dowry Prohibition Act.

Petitioner no. 1 is father-in-law, petitioner no. 2 is brother-in-law and petitioners no. 3 and 4 are brothers of the husband of the deceased.

Learned counsel appearing on behalf of the petitioners has submitted that for an occurrence said to have



taken place on 18.04.2019, the FIR has been registered nearly two months after the said occurrence on 12.06.2019. An U.D. case was registered on 18.04.2019 after the dead body of the deceased was recovered. It is being argued that the petitioners have been implicated maliciously merely because they are family members of the husband of the deceased.

Considering the facts and circumstances and the nature of allegation in the FIR against these petitioners, in my view, a case for grant of anticipatory bail is made out. This application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Kasba P.S. Case No. 115 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of



failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Rajesh/-

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