

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59677 of 2019

Arising Out of PS Case No.-104 Year-2019 Thana- TATARPUR District- Bhagalpur

=====

Dinesh Mandal, aged about 62 years, Male Son of Late Mahadeo Mandal,
Resident of Village - Companybag, P.S.- Tatarpur (University), District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha and Mr. M. K. Mishra, Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 27-11-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has moved the Court seeking pre-arrest
bail in connection with Tatarpur (University) PS Case No. 104 of
2019 dated 21.04.2019 instituted under Sections 341, 323, 328,
498(A)/34 of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

3. The petitioner, who is the father-in-law of the
informant is accused of holding the feet of the informant while she
was administered poison by the husband along with others who
are also said to have played an active role.



4. Learned counsel for the petitioners submitted that he being the father-in-law is not responsible as it was between his son and the informant and if relations has soured, for that he cannot be held responsible. It was further submitted that in the day to day life of his son and the informant, he had no role and, thus, there was no reason for him to be party to forcible administration of poison to the informant. It was submitted that when he became aware of the informant having consumed poison, he was also one of the persons who took her to Mayaganj Hospital for treatment.

5. Learned APP, from the case diary, submitted that at the time of marriage, the husband of the informant was jobless but later on, he became a constable in the police and, thus, the allegation of demand of dowry leading to the incident cannot be ruled out as in society today, having a government job, that too in the police, does lead to demand of huge amount of dowry. It was further submitted that the fact that the informant had poison in her system which in the First Information Report has been stated to have been administered by the son of the petitioner in which the petitioner also played an active role, he does not deserve the privilege of anticipatory bail. Further, it was submitted that torture started when the informant gave birth to a girl child.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

