

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67544 of 2019**

Arising Out of PS. Case No.-399 Year-2019 Thana- LAKHISARAI District- Lakhisarai

RAKESH MANDAL, Son of Late Ramjee Mandal, Resident of Mohalla-
Chitranjan Road, Ward No.10, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 04-12-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 498 (A), 342, 346/34 of the Indian Penal Code and ¾ of the Dowry Prohibition Act but the charge sheet submitted under Sections 498 (A), 363/34 of the I.P.C. and ¾ of the Dowry Prohibition Act.

The prosecution case is that upon the written report of Rukmini Devi submitted before SHO of Lakhisarai P.S. which discloses the fact that she had solemnized the marriage of her daughter Sushama Devi in the May, 2018 with Rakesh Mandal. For some times her daughter stayed there happily but after sometimes a demand of Rs.1,00,000/- was made by her husband and in-laws family as dowry. A compromise was made in this regard. All of a sudden 4 to 5 days earlier her uncle Ram Chandra Mahanth informed her that Sushama Devi was disappeared. On the basis of said information she along with relatives went to the house of Sushama



Devi on 19.05.2019 and enquired about her, then Rakesh Mandal, Pushpa Devi and Mukesh Mandal objected and refused to where about Sushama.

Learned counsel for the petitioner submits that the petitioner is the husband of the victim lady Sushama Devi who has falsely been implicated in this case. The occurrence has taken place on 19.05.2019 but the FIR has been lodged on 22.05.2019 after lapse of three days. The petitioner is in custody since 23.05.2019 and has got no criminal antecedent.

Learned counsel for the petitioner further submits that the victim girl Sushama Devi had gone to Naihar under the pressure of her mother from where she became traceless and only to save her skin, the informant has lodged the present false case. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai P.S. Case No. 399 of 2019.

(Anjani Kumar Sharan, J)

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