

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1633 of 2020**

Arising Out of PS. Case No.-233 Year-2019 Thana- BAHERA District- Darbhanga

1. BAL KISHUN MANDAL Son of Late Ramdev Mandal @ Ramdev Mandal Resident of Village - Shivram, P.S.- Bahera, District- Darbhanga
2. Rajiya Devi Wife of Late Ramdev Mandal @ Ramdev Mandal Resident of Village - Shivram, P.S.- Bahera, District- Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

ORAL ORDER

3      05-06-2020                      Heard learned counsel for the parties.

This application for grant of regular bail arises out of Bahera P.S. Case No. 233 of 2019, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Petitioner No.1 is the husband of the deceased, whereas petitioner No.2 is the mother-in-law of the deceased. It has been alleged in the First Information Report that the deceased and the petitioner No.1 were married in 1998. The occurrence took place on 23.05.2019. Allegedly, the deceased and the petitioner were not maintaining cordial matrimonial relationship. To reconcile the dispute, a mediation was proposed by Sarpanch of the Panchayat. In the meanwhile, the occurrence took place on 23.05.2019.



Learned counsel for the petitioners has submitted that they have been implicated on the basis of suspicion only and there is no circumstantial evidence collected in course of investigation to support the case of the prosecution, as narrated in the First Information Report.

Learned Additional Public Prosecutor, opposing the prayer for bail, has submitted that the case diary goes to suggest that the dead body of the deceased was cremated in the absence of her family members.

Be that as it may, since there is no direct evidence or substantial evidence collected in course of investigation to support the case of prosecution, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Benipur, Darbhanga, in Bahera P.S. Case No. 233 of 2020.

**(Chakradhari Sharan Singh, J)**

Pawan/-

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