

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16005 of 2020

Arising Out of PS. Case No.-110 Year-2019 Thana- MAHILA P.S. District- Araria

Chandan Mandal, Son of Kalanand Mandal Resident of Village-Nandanpur,
P.S.-Bounsi, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari, W/o Chandan Mandal D/o Suryanand Viswas Resident of
Village-Nandanpur, Ward No.6, P.S.-Bousi, District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The petitioner, being the husband of the informant,
who is languishing in custody since 20.12.2019, has preferred
the present application for grant of bail in a case registered for
the offences punishable under Sections 498A, 341, 323, 504,
506, 379 and 307/34 of the IPC and Sections 3/4 of the Dowry
Prohibition Act.

The prosecution case, as per the written report of



Kanchan Kumari, submitted to the S.H.O., Araria Mahila Police Station is to the effect that the marriage of the informant was performed with the petitioner three years prior to the lodging of the case. Subsequently, they were blessed with a female child, but thereafter, further dowry demand of Rs. 10 lacs was made and due to non-fulfillment of the same, the informant was tortured and after snatching her all belongings, she was driven out from her matrimonial house by all the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 12 of the petition, which reads as follows:-

“That the petitioner is always ready to keep his wife with full dignity and respect.”

It is further submitted that there is no medical report to corroborated the accusation of assault and the investigation has already been concluded.

Learned counsel for the State submits that the thrust of accusation is against the petitioner, being the husband of the informant.

Considering the nature of accusation, period under



custody, investigation already being concluded coupled with the fact that the petitioner is ready to keep the informant as wife with full dignity and honour, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No. 110 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No. 110 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over



in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

