

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18333 of 2020

Arising Out of PS. Case No.-352 Year-2019 Thana- KHARHAGPUR District- Munger

1. BINOD MANDAL Son of Late Chhedi Mandal Resident of Village/Muhalla-Shashan Nav Toliya, P.S-Kharagpur, District-Munger.
2. Bina Devi Wife of Binod Mandal Resident of Village/Muhalla-Shashan Nav Toliya, P.S-Kharagpur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 14-12-2020 Heard the learned counsel for the petitioners and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioners seek regular bail in connection with S.C. No. 30 of 2020 arising out of Kharagpur P.S. Case No. 352 of 2019, registered for the offence punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons having killed the daughter of the informant on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has



submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 04.10.2019. The learned counsel for the petitioners has further submitted that the petitioner no. 1 is the father-in-law of the deceased victim lady and the petitioner no. 2 is her mother-in-law and they were living separately at the alleged date and time of occurrence, hence, they do not have any complicity in the alleged occurrence. It is also submitted that if at all, anybody might be responsible for the alleged occurrence, it is the husband of the deceased victim lady, who is already behind bars, hence, no prejudice would be caused to the prosecution in case, the old petitioners are granted bail.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking



into account the fact that the husband of the deceased victim lady is already behind bars and no prejudice would be caused to the prosecution, in case benefit of doubt is given to the old petitioners for the purposes of consideration of the present bail petition, I deem it fit and proper to direct for release of the petitioners on bail, however, subject to verification by the learned court below as to whether the husband of the deceased victim lady, namely, Abhinash Kumar, is behind bars or not.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II Munger in connection with S.C. No. 30 of 2020 arising out of Kharagpur P.S. Case No. 352 of 2019, subject to the aforesaid verification to be made by the learned court below.

(Mohit Kumar Shah, J)

Ajay/-

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

