

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23923 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- KORHA District- Katihar

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Suman Kumar Mandal, [Aged about - 30 yrs. {MALE}], Son of - Baldev Mandal, resident of Village - Pachma (Milik), P.S. Korha, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 12-11-2020 Heard Mr. Ranjeet Kumar Singh, learned counsel for the petitioner and Mr. Ashok Kumar Singh, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Korha P.S. Case No. 15 of 2020 registered for the offence under Section 304 (B) / 120 (B) / 34 of the I.P.C.

The allegation as per the First Information Report is that the daughter of the informant was married to the petitioner about 01 year back and after marriage the petitioner and other accused persons started demanding dowry of Rs. 1 Lakh and due to non- fulfillment of the demand they used to torture the daughter of the informant physically as well as mentally. It has further been alleged that on 18.07.2018 the accused persons assaulted the daughter of the informant by means of lathi &



danda and the accused no. 1 / Suman Kumar Mandal (i.e. the petitioner) killed the daughter of the informant by pressing her neck. It has also been alleged that upon information, the informant arrived at the matrimonial home of the deceased and he found injuries upon thigh and other parts of the body of the deceased and blood was oozing out from her nose.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. It has further been argued that the daughter of the informant had consumed poison / pesticide by mistake and this fact was communicated to the informant by the petitioner then the informant arrived at the house of the petitioner and on 19.07.2018 lodged a U.D. Case bearing U.D. Case No. 05 of 2018 and Panchayati was held and all the articles of the deceased were returned to the informant. Learned counsel further submits that after ten days of the lodging of the U.D. Case a complaint was filed by the mother of the deceased which was converted into F.I.R. vide Korha P.S. Case No. 15 of 2020. Learned counsel further submits that from perusal of the post mortem report it would be evident that there was sign of poison in the body of the deceased.

On the other hand, learned counsel for the State



referring to the case diary submits that no external injury has been found on the body of the deceased and the doctor has opined that the cause of death was due to consumption of suspected poison by the deceased and viscera has been preserved for its chemical examination. Learned counsel further submits that petitioner is in custody since 27.02.2020.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that charge sheet has already been submitted in this case, the petitioner is in custody since 27.02.2020 and there is no possibility that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar / court concerned in connection with Korha P.S. Case No. 15 of 2020 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner;



his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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