

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41443 of 2021**

Arising Out of PS. Case No.-187 Year-2020 Thana- AAJAM NAGAR District- Katihar

Sandeep Mandal @ Sandip Mandal @ Sandeep Kumar Mandal Son Of Subol
Mandal, Resident Of Village- Kharsauta, P.S.- Azamnagar, Distt.- Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, petitioner and his family members killed the informant's daughter due to non-fulfilment of demand of dowry.

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and he is innocent and has falsely been implicated in this case. He further submits that the marriage had taken place in the year 2010 and out of the wedlock they had three male children. It is also the case of the petitioner that the victim in fact committed suicide. No incriminating material has been collected against the petitioner



during course of the investigation and after investigation police submitted charge sheet under section 306 of the Indian Penal Code. Petitioner is in custody since 6.4.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that no incriminating material has been collected against the petitioner during course of the investigation and after investigation police submitted charge sheet under section 306 of the Indian Penal Code, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Azam Nagar Police Station Case No. 187 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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