

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8253 of 2022**

Arising Out of PS. Case No.-172 Year-2020 Thana- NAYA RAM NAGAR District- Munger

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Dharmendra Mandal Son of Prakash Mandal Resident of Village- Udaypur,
P.S.- Naya Ramnagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 18-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Naya
Ramnagar P.S. Case No. 172 of 2020 registered for the offence
under Sections 304(B), 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.03.2021.

The allegation against the petitioner is to cause death
of informant's sister, who is also the wife of the petitioner, for
non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner
submitted that the allegation, as regard to demand of dowry, is



very much general and omnibus against the petitioner. It is submitted that this is a case of suicide, as surfaced during the course of investigation that family members of the deceased were informed and present in the last rites. It is further submitted that this is not a case, where the dead body of the deceased was found in the house of the petitioner, rather during the course of investigation, it is surfaced that dead body of the deceased was recovered from the open field, which is five kilometers away from the house of the petitioner. It is submitted that informant is not the eye witness of the occurrence. It is submitted that charge is yet to be framed against the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that the information of the occurrence was given by the petitioner himself to the informant, who is not the eye witness of the occurrence.

Considering the facts and circumstances as mentioned above, as case is appearing of suicide coupled with the fact that chargesheet has already been submitted, let the petitioner, above



named, is directed to be released on bail in connection with Naya Ramnagar P.S. Case No. 172 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Munger/concerned Court after framing of charge, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Manoranjan Mandal, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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