

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14615 of 2022

Arising Out of PS. Case No.-346 Year-2018 Thana- BIHPUR District- Bhagalpur

Uday Mandal, aged about 35 years (M), Son Of Tuntun Mandal, R/O Village-
Birbanna, P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in connection with S. T. No.
907 of 2018, arising out of Bihpur (Bhawanipur) P.S. Case No.
346 of 2018 registered for the offence under Section 304(B) of
the Indian Penal Code.

The prosecution, in brief, is that the petitioner
committed torture and thereafter caused death of the victim due
to non-fulfilment of demand of dowry.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. No. 25406 of 2019 under order dated 27.09.2019,



annexed as Annexure-1 to the present application taking into account that the petitioner is the husband of the deceased and the onus is upon him to explain the cause of death of the deceased.

This is second attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that out of six prosecution witnesses, two prosecution witnesses have been examined.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.08.2018. He has remained in custody for more than 3 ½ years. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no chance of trial being concluded in near future.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the period of custody, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd



Additional Sessions Judge, Naugachia, Bhagalpur in connection with Sessions Trial No. 907 of 2018, arising out of Bihpur (Bhawanipur) P.S. Case No. 346 of 2018.

The petitioner shall co-operate during the trial. If he fails to appear on two consecutive dates, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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