

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33656 of 2021

Arising Out of PS. Case No.-241 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Mannu Gond, Son of Shri Kishun Gond, Resident of Village - Amawan, P.S.-
Chainpur, Dist.- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra, Advocate
For the Opposite Party/s : Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 05-01-2022 The applicant/accused in Crime No. 241 of 2020 registered with Chainpur Police Station for the offences punishable under Sections 304(B) read with Section 34 of the Indian Penal Code, at the instance of first informant Balelkhandar Gond, by this application is seeking his release on bail after filing of the charge sheet.

Heard the learned counsel appearing for the applicant/accused. He argued that statement of Urmila Devi who happens to be aunt of the deceased Maya Devi is falsifying the prosecution case regarding the dowry death. It is further argued that the investigation of the crime is over and the Mukhiya of the village so also several villagers have reported to the Superintendent of Police that the married life of the applicant was suffering from rough whether as relations



between the husband and wife was not good.

The learned Additional Public Prosecutor opposed the application by contending that the case is that of dowry death and the married women was subjected to cruelty by the applicant.

I have considered the submissions so advanced and also perused the material placed before me.

The learned counsel for the applicant has readout the statement of Urmila Devi who happens to be the aunt of the deceased Maya Devi. It is seen from that statement that deceased Maya Devi was not liking her husband Mannu Gond, i.e., the present applicant. She stayed in her matrimonial house only for two to three months and she was willing to reside in her parental house. Urmila Devi has further stated to the Police that they came to know that Maya Devi had consumed poison and her health was not good. Thereafter all parental relatives of Maya Devi went to her matrimonial house.

The investigation of the crime in question is over. Considering the nature of the evidence against the applicant/accused, his further pretrial detention is not warranted and hence, the order :-

i. The application is allowed.



ii. The applicant/accused in Crime No. 241 of 2020 registered with Chainpur Police Station for the offences punishable under Sections 304(B) read with Section 34 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections



forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

Bhardwaj/-

(A. M. Badar, J)

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