

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44574 of 2021

Arising Out of PS. Case No.-175 Year-2020 Thana- PRANPUR District- Katihar

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DHARMENDRA MANDAL, Son of Shiv Narayan Mandal Resident of
Village - Ramchandrapur, P.S.- Pranpur, District - Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-04-2022 Heard Mr. Md. Musowir, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal, learned Additional

Public Prosecutor for the State.

Petitioner, in the present case, is seeking regular bail
in connection with S.T. No. 92 of 2021 arising out of Pranpur
P.S. Case No. 175 of 2020 registered for the offence under
Sections 341, 323, 307, 326, 498(A)/34 of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act. Later on Sections
326, 302, 304(B)/34 of the I.P.C. were added. He is in custody
since 12.10.2020 having no criminal antecedent as stated in
paragraph '3' of the application.

Learned counsel for the petitioner submits that this
petitioner is the husband of the deceased and he had, in fact,
solemnized a love marriage with the deceased. Learned counsel



submits that the deceased had committed suicide and there is no direct or indirect material of demand of dowry or torture meted out to the deceased soon before the alleged occurrence.

Learned counsel has filed a supplementary affidavit with which he has placed on record deposition of five witnesses in course of trial.

This Court also called for a report from the learned trial court as to the present stage of the trial and the time likely to be taken in conclusion thereof. The learned trial court report says that there are 11 charge-sheet witnesses out of whom five witnesses have already been examined and for rest witnesses summons have been issued.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that from the materials so far collected in course of trial it cannot be safely said that there is no material against the petitioner.

Having regard to the submissions noted hereinabove and on finding that about half of the prosecution witnesses have already been examined in this case and the trial itself is likely to come to an end very soon, this Court is not inclined to release the petitioner on bail at this stage.

Let the trial court fix the dates at shorter interval and



all endeavours be made to conclude the trial as early as possible preferably within a period of six months from the date of communication of this order.

If the trial still remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

