

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36086 of 2022

Arising Out of PS. Case No.-374 Year-2021 Thana- BARHARA KOTHI District- Purnia

Arbind Kumar Mandal S/o Naresh Mandal, Resident of Village- Baruna
Shanti Nagar, Ward No. 13, P.S.- Barhara, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barhara P.S. Case No. 374 of 2021, lodged under Sections 341,
323, 498(A), 304(B), 143 of the Indian Penal Code.

As per prosecution case, the informant who is the
mother of deceased has filed present criminal case against the
petitioner and his entire family members on the ground that all
the persons are in connivance with each other had killed her
daughter and demand of dowry was also shown in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that antecedent of petitioner is clean and he is in custody since 23.03.2022. Learned counsel for the petitioner further submits that no purpose shall be served, if he is continuing in the custody.

Learned counsel for the State opposes the prayer for bail and submits that it is a case under Section 304(B) of I.P.C. and petitioner is husband. It is a special law in which presumption has been casted against the husband.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected.

However a direction is given to the Trial Court to expedite the trial within 9 months from the date of passing of this order, if trial shall not be concluded, the petitioner is at liberty to move further for bail.

(Dr. Anshuman, J.)

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