

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39566 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- KURSAKANTA District- Araria

SHRWAN KUMAR MANDAL Son of Late Gauri Mandal Resident of village
- Ghat Chikni, P.S. - Kursakanta, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Kursakanta P.S. Case No. 115 of 2021 under Sections 341, 323,
307, 498(A)/34 of the Indian Penal Code, Section 3/4 of the
Dowry Prohibition Act and later Section 304(B) of the Indian
Penal Coded has been added.

As per the FIR, the informant has alleged that he
solemnized the marriage of his sister, Madhu Devi with the
petitioner, Shrwan Kuma Mandal four years ago. However, she
was regularly tortured by her in-laws for non-fulfillment of
demand of dowry of Rs. Five lakhs. It is further alleged that he



got information that her sister was set ablaze by the accused persons including the petitioner herein for non-fulfillment of demand of dowry. Accordingly, the FIR was lodged and the petitioner was taken into custody.

The petitioner is the husband and the FIR vide Kursakanta P.S. Case No. 115 of 2021 was lodged on 17.06.2021 but he chose to walk into judicial custody only on 18.05.2022. Being her husband, the petitioner cannot exonerate himself from the alleged death of his wife.

Considering the aforesaid facts, this Court for the present is not inclined to grant him privilege of bail for the present which is accordingly rejected.

(Rajiv Roy, J)

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