

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50879 of 2021**

Arising Out of PS. Case No.-119 Year-2020 Thana- TARAPUR District- Munger

Kabir Mandal, S/O Late Gohali Mandal, R/O Village- Dhauni, P.S- Tarapur,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhu Prasun, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

2 30-03-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecution for the State.

The petitioner seeks regular bail, who is in custody in connection with Tarapur P.S. Case No. 119 of 2020 for the offences under Sections 304B/34 of the Indian Penal Code.

The prosecution case as has been stated in the F.I.R. is that the daughter of the informant was married with co-accused Bajrangi Mandal. It is further alleged that after the marriage, the husband and other family members started demanding dowry and some how the informant managed and gave Rs.50,000/-, but the demand continued. It has further been alleged that on



07.08.2020, the informant got information that his daughter was killed by the accused persons including this petitioner.

It is further submitted on behalf of the petitioner that the petitioner happens to be the Dewar of the deceased and there is no specific allegation of any torture or demand of dowry against him. Husband is already in custody. He further submits that the petitioner is working and residing separately in the district of Munger itself. Counsel for the petitioner lastly submits that the similarly situated co-accused, namely, Pappu Mandal, has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 40343 of 2020 vide order dated 21.05.2021 (Annexure-2). The petitioner as got clean antecedent and he is in custody since 07.08.2020.

Considering the fact that the petitioner is Dewar of the deceased and he is in custody since 07.08.2020, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Munger in connection with Tarapur P.S. Case No. 119 of 2020 with the following conditions:

(a) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(b) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Harish Kumar, J)

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