

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58495 of 2021

Arising Out of PS. Case No.-115 Year-2021 Thana- BHAWANIPUR District- Purnia

Chunchun Mandal @ Chuna Mandal Son of Rajendra Mandal Resident of
Village - Singhyan, P.S. - Bhawanipur, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Adv

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 26-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Nadimul Hasan, learned counsel for the
petitioner as well as learned Additional Public Prosecutor
for the State.

Petitioner seeks bail in a case registered in
connection with Bhawanipur P.S.Case No. 115 of 2021 for
the offences punishable under Sections 304(B)/ 34 of the
Indian Penal Code.

The prosecution case is based on a written report
filed by the informant alleging therein that the marriage of
the daughter of the informant was solemnized with the
petitioner in January 2021. Soon after the marriage, the



daughter of the informant was subjected to torture. It is further alleged that on 07.07.2021, the daughter of the informant along with her husband (petitioner) came to the informant's house and there also the petitioner assaulted his daughter in front of all the family members on 09.07.2021. The daughter (deceased) was taken to her Sasural along with the petitioner and on the next day on 10.07.2021, the informant received an information that his daughter was done to death by strangulation.

Learned counsel appearing on behalf of the petitioner submits that in fact it is a case of suicide as the wife of the petitioner was not happy with the petitioner and on account of some trifling issues, she committed suicide and thereafter, information was given to her family members and when they came for cremation, the present FIR was lodged. He next submits that there is no eye witness to the alleged occurrence and moreover, in course of investigation, the witnesses have not supported the allegation of demand of dowry. He further submits that the post mortem report also suggest no external injuries over her body and the cause of death is due to asphyxia.



Petitioner is in custody since 20.07.2019.

On the other hand, learned counsel for the State vehemently opposed the bail application and submits that the post mortem report clearly suggest that the daughter of the informant died due to asphyxia caused by throttling and moreover, during the course of investigation, the witnesses have categorically stated that the deceased was subjected to assault and torture by the petitioner and just after six months of her marriage, she was done to death by the petitioner. In response to the aforesaid submission, by the learned counsel for the petitioner also submits that now trial is begun and altogether four charge sheet witnesses has examined.

Regard being had to the submissions and considering the specific nature of accusation against the petitioner, who happens to be husband of the deceased, apart from that progress of trial, this Court is not persuaded to enlarge the petitioner on bail and accordingly his prayer for bail stands rejected.

However, it is expected that the learned trial court will take all necessary measures to conclude the trial of the



petitioner as early as possible.

(Harish Kumar, J)

N.K/-

U		T	
---	--	---	--

