

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3076 of 2023

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

1. AMOD KUMAR MANDAL Son of Late Gauri Mandal R/V- Ghat Chikni, P.s- Kursakanta, Dist- Araria
2. Pinki Devi Wife of Amod Kumar Mandal R/V- Ghat Chikni, P.s- Kursakanta, Dist- Araria
3. Shanti Devi Wife of Binod Mandal R/V- 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, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-04-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioners have preferred this application for grant of regular bail in connection with Kursakanta P.S. Case No. 115 dated 2021 registered for the offences punishable u/s 341, 323, 307, 498A read with section 34 and later on added section 304B of the Indian Penal Code and section 3/4 of Dowry Prohibition Act.



As per the prosecution case, the petitioners and the co-accused persons are alleged to have committed murder of the daughter of the informant due to non-fulfillment of demand of Rs. Five lakhs as dowry.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Learned counsel has further submitted that the petitioner no. 1 Amod Kumar Mandal is the brother-in-law and the petitioner no. 2 and 3 are the sisters-in-law of the deceased. There is general and omnibus allegation against the petitioners. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench *vide* order dated 24.06.2022 passed in Cr. Misc. No. 66007 of 2021. The petitioner no. 1 is also accused in one more criminal case and the petitioner no. 2 and 3 have clean antecedent as stated in para 3 of the bail petition. The petitioner no. 1 and 2 are in custody since 18.10.2022 and the petitioner no. 3 is in custody since 20.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus



against the petitioners, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Kursakanta P.S. Case No. 115 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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