

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7455 of 2023

Arising Out of PS. Case No.-363 Year-2022 Thana- FALKA District- Katihar

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Suman Kumar Mandal Son Of Janardan Prasad Mandal Resident Of Village -
Simra, P.S.- Tikkapatti, District - Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari Daughter of Late Khokha Mandal Resident of Imli Chauk,
Chhoti Bhaisdiyara, P.S.- Barari, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 498A,
341, 307, 328, 504, 34 of the IPC and Sections 3/4 of Dowry
Prohibition Act.

It is a case of cruelty/harassment due to non-
fulfillment of dowry demand and it is also alleged that
petitioner along with co-accused persons also administered
poison like substance in sweet with intention to kill the



complainant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is husband of the complainant due to which he has falsely been implicated in this case. There is no specific allegation of administering poison leveled against the petitioner rather general and omnibus allegation leveled against him. He has got no criminal antecedent. It is further submitted that complainant was living in maike since 12.07.2022 and in the FIR she alleged that on 28.08.2022, petitioner along with co-accused persons administered poison like substance in her sweet to kill her. The petitioner is languishing in judicial custody since 06.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Falka P.S. Case No. 363 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned S.D.J.M., Katihar.

(Sunil Kumar Panwar, J)

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