

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20671 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- MAHILA P.S District- Supaul

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SRI RAM MANDAL @ SRI RAM KUMAR MANDAL S/O
DEONARAYAN MANDAL Resident of Village- Lalbihari Khut (Kumyahi),
P.S.- Tribeniganj, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. HIRA DEVI W/O SRIRAM MANDAL @ SRI RAM KUMAR MANDAL,
D/O LATE UMESH MANDAL Resident of Village- Keshav Nagar, P.S.-
Pipra, District- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun,Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, A PP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel appearing for the petitioner and

the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
02.11.2022 in connection with Mahila P.S. Case No. 15 of
2022, F.I.R. dated 13.03.2022 registered for the offence
punishable under Sections 498(A), 341,323,504,506,494,379/34
of IPC and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been



implicated in the present case. Further submits that it appears from the FIR that the date of occurrence as alleged in the FIR is 06.03.2022 but the present FIR has been instituted on 13.03.2022 after delay of seven days without giving any explanation of delay. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and further submits that with the consent of the informant, the petitioner has performed the second marriage and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.11.2022.

Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Mahila P.S. Case No. 15 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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