

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41819 of 2023**

Arising Out of PS. Case No.-63 Year-2022 Thana- RAMPUR CHAURAM District-
Jehanabad

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MANTU KUMAR Son of Chandeswar Chandrawanshi Resident of Village-
Mahammadpur Wara, PS- Rampur Chauram, District- Arwal (Jehanabad)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Rampur
Chauram P.S. Case No. 63 of 2022 dated 08.07.2022 registered
for the offence punishable under Sections 302, 120(B) and 34 of
the Indian Penal Code. But cognizance has been taken under
Sections 498(A) and 306 of the Indian Penal Code on
13.10.2022.

3. The prosecution case, in short, is that the informant's
daughter Mamta Devi was married with the petitioner Mantu
Kumar in the year 2018 as per Hindu rites and custom and on
07.07.2022, the father-in-law of the informant has informed that
his daughter has pain in her stomach and she was being taken at



Sadar Hospital from where she was referred to Patna but after some times, he got information that his daughter already died. It is further alleged that some differences was going on in between the informant's daughter and his Son-in-law Mantu Kumar and due to which, the petitioner Mantu Kumar has illicit relation with his Bhabhi Niju Devi who has also given threaten to kill his daughter.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the real story behind the incident is that the deceased lady Mamta Devi was in relation with her brother-in-law (Devar) Sanni Kumar but later on she received an information by a satisfactory resources that Sanni Kumar is entangled with an another girl and the deceased lady cannot bear the truth and she committed suicide. It is further submitted that another co-accused Niju Devi has been granted bail *vide* Criminal Miscellaneous No. 10318 of 2023 by a Co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 23.07.2022, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Arwal (Jehanabad) in connection with Rampur Chauram P.S. Case No. 63 of 2022, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.



4. 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.

(Khatim Reza, J)

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