

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43369 of 2023

Arising Out of PS. Case No.-97 Year-2020 Thana- KURSAKANTA District- Araria

1. Chaman Lal Mandal Son Of Late Doman Mandal, Resident Of Village- Dhangama, PS.- Kursakanta (Kuwari), District- Araria
2. Ramawati Devi Wife Of Chaman Lal Mandal, Resident Of Village- Dhangama, PS.- Kursakanta (Kuwari), District- Araria
3. Vibha Devi Wife Of Chaman Lal Mandal, Resident Of Village- Balchanda, Dhangama, PS.- Kursakanta (Kuwari), District- Araria
4. Sohagwati Devi @ Suhagbati Devi Wife Of Mukesh Mandal, Resident Of Village- Dhangama, PS.- Kursakanta (Kuwari), District- Araria
5. Krityanand Mandal Son Of Suresh Mandal Resident Of Village- Balchanda, Ward No. 7, P.S.- Kursakanta, District- Araria
6. Ranjani Devi @ Ranjana Devi Wife Of Krityanand Mandal Resident Of Village- Balchanda, Ward No. 7, P.S.- Kursakanta, District- Araria

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Kursakanta P.S. Case No. 97 of 2020 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 16.02.2016, the informant got her daughter married to one Dipak Kumar Mandal with gifts worth Rs.2,00,000/-. After one month of her marriage,



the family members of the informant's daughter started demanding a Pulsar motorcycle which was fulfilled by the informant during *Dussehra* but then after few time they started demanding Rs.2,00,000/- to open a medical store which was protested by the daughter of the informant. The petitioners along with the husband of the informant started torturing her physically and mentally. On 22.06.2020 at about 10:00 A.M. the informant got information on her mobile that her daughter has committed suicide. When she along with her relative reached the house of her daughter, she found her dead body lying in the courtyard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that these petitioners are the kith and kin of the husband of the deceased. It is submitted that the inquest report also suggests that it may be a case of suicide. Learned counsel submits that the FIR has been lodged two days after the informant got knowledge about the said occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein these petitioners are said to be the kith and kin of the husband of the deceased, from the FIR itself, it appears that the deceased was living with her husband in another house and as



per submission, the inquest report suggests that it may be a case of suicide, FIR has been lodged two days after the knowledge on the part of the informant about the alleged occurrence, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Kursakanta P.S. Case No. 97 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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