

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45601 of 2023

Arising Out of PS. Case No.-256 Year-2022 Thana- PRANPUR District- Katihar

RAJ KISHOR MANDAL S/O SHANKAR MANDAL R/O VILLAGE-
DHANPARA, PS. PRANPUR, DIST. KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 18.04.2023, in connection with Pranpur P.S. Case No. 256 of 2022, F.I.R. dated 28.11.2022 registered for the offences punishable under Sections 306/504/506/34 of the Indian Penal Code and Section 3/4 of the Dowry Act.

3. The prosecution case, in brief, is that all the accused persons including the petitioner subjected the daughter of the informant namely Nisha Kumari to cruelty and torture due to non-fulfillment of dowry demand of house hold articles as well as jewellery worth Rs. 3,50,000/-. It has been further alleged by informant namely Jiwachh Mandal that on 27.11.2022 his daughter commit suicide herself by hanging.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that from perusal of the F.I.R. it appears that the informant himself stated that his daughter has committed suicide due to non-fulfillment of dowry which was demanded by the petitioner and his family members. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.04.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar in connection with Pranpur P.S. Case No. 256 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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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