

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53443 of 2022**

Arising Out of PS. Case No.-178 Year-2020 Thana- KATRA District- Muzaffarpur

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AJEET MANDAL S/o Ramashray Mandal @ Kari Mandal R/o village-  
Bisautha, P.S.- Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      17-02-2023                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for  
the offence under Sections 304(B) and 34 of the Indian Penal  
Code.

The daughter of the informant is said to have been  
killed on account of non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner  
submits that the petitioner, who is of clean antecedent, is  
innocent and has falsely been implicated in this case. In fact,  
the petitioner happens to be the husband of the deceased  
and he has never demanded any dowry nor he has assaulted  
the deceased in any manner. There is general and omnibus



allegation against the petitioner and no specific allegation of any overt act is attributed to him. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner.

Vide order dated 23.12.2022, a report was called for with regard to present stage of the trial, which has been received and reveals that charge has been framed in this case on 15.03.2022 and till date no witnesses have been produced by the prosecution.

Learned counsel for the petitioner further submits that in view of the report, the trial is not likely to be concluded in near future and the petitioner is rotting in judicial custody since 22.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Katra P.S. Case No. 178 of 2020 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 canceled 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.

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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