

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67303 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- NAYA RAM NAGAR District- Munger

GOVIND MANDAL Son of Sri Madan Mandal Resident of village and P.O.-
Teghra, P.S.- Haveli Kharagpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail, who is in custody since
26.05.2022 in connection with S.Tr. No. 300 of 2022 arising out
of Naya Ram Nagar (Safiasarai) P.S. Case No. 68 of 2021, F.I.R.
dated 13.04.2021 for the offences punishable under Sections
304B/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

According to prosecution case, the allegation of dowry
death in furtherance of common intention alongwith dowry
prohibition act is there in the F.I.R. against 4 unknown accused
persons including the present petitioner.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the husband of the deceased and it appears from the F.I.R. that the deceased was residing at her father house at the time of occurrence. He further submits that it has come during investigation and in para 22 and 23 of the case diary that the deceased has committed suicide herself and it has also come that at the time of occurrence the petitioner was at Haridwar. He further submits that similarly situated, co-accused, namely, Manju Devi who is mother-in-law of the deceased and Khushboo Devi @ Khushboo Kumari who is sister-in-law of the deceased have been granted bail by a co-ordinate Bench of this Court vide order dated 28.06.2022 passed in Cr. Misc. No. 64453 of 2021 and another co-accused Sunni Kumar @ Sanni Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 23.09.2022 passed in Cr. Misc. No. 38054 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner under Section 306 of the Indian Penal Code and the petitioner is in judicial custody since 26.05.2022.

The learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Additional Sessions Judge-II, Munger in connection with S. Tr. No. 300 of 2021 arising out of Nayaram Nagar (Safiasarai) P.S. Case No. 68 of 2021, 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 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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