

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80457 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- JOGBANI District- Araria

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1. MUKESH MANDAL S/O RAJEN MANDAL @ RAJENDRA MANDAL R/O VILLAGE- PIPRA, WARD NO. 07, P.S- JOGBANI, DISTT.- ARARIA.
 2. RITA DEVI @ GITA DEVI W/O MUKESH MANDAL @ MUKESH KUMAR MANDAL R/O VILLAGE- PIPRA, WARD NO. 07, P.S- JOGBANI, DISTT.- ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including these petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the sister of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioner no.1 is brother-in-law, where as petitioner no.2 is



gotni of the deceased. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. They were residing separately from the deceased and her husband. The husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the payer for bail.

6. Having regard to the facts and circumstances of the case, as husband of the deceased is already in judicial custody and there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned lower Court where the case is pending/successor Court in connection with Jogbani P.S. Case No. 132 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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