

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20329 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- NATHNAGAR District- Bhagalpur

RAVI KUMAR S/O FEKAN MANDAL @ FEKU MANDAL R/O
VILLAGE- LALUCHAK, P.S- NATHNAGAR, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Nathnagar P.S. case No. 43 of 2023 instituted for the offences
under Sections 304B, 498A of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner has
tortured and killed the deceased for the non-fulfillment of
demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel
further submitted that on perusal of the post-mortem report, it
appears that no external injuries were found on the body of the



deceased, as such, the allegation of forceful administration of the poison to the deceased is falsified. From perusal of the FIR it appears that informant is not the eye-witness to the occurrence. Learned counsel referring to paragraph nos. 26, 27 and 28 of the case diary submitted that independent witnesses have stated that deceased herself has consumed poison out of her anger over a petty dispute with her husband. Charge-sheet has been submitted in this case under Section 328, 304B of the Indian Penal Code and charge has also been framed against this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.06.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, statement of the witnesses as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nathnagar P.S. case



No. 43 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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