

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29668 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- JOGBANI District- Araria

Sonu Kumar @ Sonu Kumar Mandal SON OF DINESH MANDAL
RESIDENT OF VILLAGE -SAHWAJPUR, WARD NO-11, P.S-
JOGBANI(BATHNAHA O.P.),DIST-ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jogbani (Bathnaha) P.S.
Case No. 194 of 2023 registered for the offence punishable
under Section-304(B)/34 of the Indian Penal Code.

3. Allegation against the accused persons including
the petitioner is of torturing and causing death of the victim due
to non-fulfillment of demand of dowry.

4. It has been submitted on behalf of the petitioner
that admittedly, it was a love marriage as such, there is no
question of demand of dowry. He also submits that in the FIR
itself shows that the members of informant side had no talking
terms with matrimonial in-mates of the deceased which shows



that the informant side was not happy with love marriage of the deceased. He also submitted further that since the family members of the deceased were not at talking terms, she was in mental pressure which culminated into commission of suicide. The petitioner is in custody since 21-07-2023.

5. On the otherhand, Mr. J. N. Thakur, learned APP has opposed the prayer for bail by submitting that the allegation of demand of dowry is there in the FIR and the postmortem report shows that the death was caused due to hanging and ligature mark was found on the neck of the deceased, to which, the learned counsel for the petitioners replies that these are the signs of suicide.

6. From perusal of the FIR, it appears that the informant himself has stated that there was love and affection between the petitioner and the deceased. It was a love marriage. The allegation of demand of dowry, prima facie does not appear to be true. The petitioner is in custody for more than a year.

7. Considering the aforesaid facts and circumstances, let the petitioner named above, 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 Sri Gajendra Kumar, Chourasiya, learned Judicial Magistrate-Ist Class, Araria in



connection with Jogbani (Bathnaha) P.S. Case No. 194 of 2023 with condition that the petitioner will appear in the court below on each and every date fixed in the case and if, he fails to do so on two consecutive dates unless he is prevented by extremely adverse circumstances, the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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