

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32695 of 2024

Arising Out of PS. Case No.-233 Year-2023 Thana- RUPAULI District- Purnia

1. Arun Mandal, Son of Govind Mandal Resident of village-Dholbajja, Naugachia, Police Station - Mohanpur, District - Bhagalpur.
2. Shanti Devi, Wife of Arun Mandal Resident of village - Dholbajja, Naugachia, Police Station - Mohanpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 14-08-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 304(B)/ 34 of the Indian Penal Code and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Krishna Mandal about an year and the half back. After marriage, her daughter informed that in-laws tortured her for non-fulfilment of demand of motorcycle and the accused persons including the



petitioner even assault her. Further, on 17.09.2023, the informant was informed that his daughter died and accordingly, he came to the place of occurrence and saw the dead body of his daughter lying on the bed and there was a black spot on throat. Thus, alleges that the accused persons including the petitioners killed her.

4. The learned counsel for the petitioners submits that petitioners, being father in-law and mother in-law of the deceased, have been falsely implicated in the instant case by the informant. It is further submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that no effort was made to dispose of the dead body rather the dead body of the informant was lying in the house, as such, post mortem was conducted and in the post mortem, no external injury was found. It is further submitted that there was some dispute in between the husband and the wife on account of which, the victim committed suicide. It is also submitted that whenever any occurrence of the nature as alleged in the F.I.R. takes place, the entire family members are implicated in a mechanical manner. It is also submitted that petitioners will not abscond rather will cooperate in the investigation.



5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with Rupauli (Mohanpur) P. S. Case No.233 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed and thereafter, learned trial Court comes to a



conclusion that petitioners are trying to delay the trial in any manner, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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