

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36780 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Ganeshi Mandal @Ganesh Mandal Son of Late Bahut Mandal @Vadur
Mandal R/O village- Khutauna, P.S.- Benipatti, District- Madhubani
... .. Petitioner/s

Versus

1. The State of Bihar
 2. Phool Devi W/O Ganesh Mandal R/O Village- Khatauna, P.S.- Benipatti,
District- Madhubani.
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Abhay Kumar Roy

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

ORAL ORDER

4 19-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Complaint Case No. 288 of 2023 for the offences
punishable under Sections 323, 498A, 494 of the Indian Penal
Code.

3. As per allegation, the marriage of the informant
was solemnized with the petitioner eighteen years ago. After
marriage, the accused persons including the petitioner demanded
dowry from the informant and on non-fulfillment of the same,
the accused persons including the petitioner started torturing her
and the petitioner has solemnized second marriage also.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the present case has been lodged after 20 years of the marriage which denotes that the complainant with the petitioner spent her life peacefully for a long period of 20 years and lodging of the complainant after a long span of time appears to be exaggerated story. He has also submitted that the children of the complainant appeared before the court of learned Sessions Judge and stated that their mother is not a good female and she has already married with an another male. The petitioner is a person of clean antecedent and is under custody since 07.02.2024.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail.

6. The order of the learned trial court, it transpires itself that three children of the victim appeared before the court below and apprised the learned court below that their mother is not a lady of chastity. It has also been mentioned in the impugned order that she has solemnized marriage with another person.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand



rupees) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Benipatti, Madhubani in connection with Complaint Case No. 288 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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