

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54657 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- NARPATGANJ District- Araria

Sanjay Mandal S/O Late Badri Mandal R/O Village- Madhura Uttar Ward No. 10., P.S- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 12-11-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Narpatganj P.S. Case No. 207 of 2024 instituted for the offence under Section 304B of the Indian Penal Code.

3. Prosecution case in short is that sister of the informant was done to death at her matrimonial house owing to the reason that only few days after the marriage, petitioner used to assault and fight with the deceased in an inebriated condition.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08-04-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. By referring to the FIR, learned counsel for the petitioner submits that in the entire FIR there is no whisper regarding demand of dowry against the petitioner. It is also submitted that victim was never subjected to cruelty and there is no ingredients of Section 304B of the IPC against the petitioner. There is no independent witness to the occurrence. Learned counsel goes on to submit that petitioner was not present at the time of occurrence. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 9, 10, 11, it is submitted that petitioner used to assault the deceased very often in an inebriated condition. It is fervently submitted that postmortem report corroborates the allegation levelled against the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted this Court is inclined to grant bail to the petitioner.

8. 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 Narpatganj P.S. Case No. 207 of 2024, 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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