

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59973 of 2024

Arising Out of PS. Case No.-457 Year-2023 Thana- SULTANGANJ District- Bhagalpur

Pradeep Mandal Son of Late Ramroop Mandal Resident of Village-
Narayanpur Taraita P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-09-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Sultanganj P.S. Case No. 457 of 2023 for the offence punishable under Section 304(B), 34 of the Indian Penal Code lodged on 27.08.2023 by the informant, Parema Devi.

3. As per the prosecution story, the informant alleged that her daughter was married to Piyush Kumar but was always tortured for dowry and on 23.08.2023 when she was pregnant, was assaulted and in course of the treatment, she subsequently died in the hospital. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the lady being pregnant, had developed complications taken to the hospital, died, normal cremation took place but later with an ulterior motive, the FIR has been lodged. The further



submission is that in any case, the deceased's husband Piyush Kumar is in custody since 28.08.2023.

4. Learned APP for the State, on the other hand, opposes the prayer for bail stating that the allegation of assault is against all the family members.

5. Considering the aforesaid submissions put forward by the parties as also the fact that the husband is in custody since 28.08.2023 (as stated in para-8 of the petition) and the petitioner has remained in custody for almost one year i.e. 25.09.2023 (para-6 of the petition), he is father-in-law, this Court is inclined to extend him the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.-XIII, Bhagalpur or Successor Court, in connection with Sultanganj P.S. Case No. 457 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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