

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1257 of 2024

Arising Out of PS. Case No.-134 Year-2022 Thana- KALYANPUR District- Samastipur

Baban Mandal @ Baban Kumar Mandal S/O Birendra Mandal Village-
Kharsand Purvi Ward No. 4, Ps. Kalyanpur, Dist. Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, A.P.P.

Mr.Bijay Bhushan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 304(B), 201, 120(B) of the
Indian Penal Code.

3. As per F.I.R., this petitioner alongwith other
accused persons tortured the daughter of informant due to non-
fulfillment of demand of dowry and lastly, committed her
murder and when her dead-body was being cremated, the
informant alongwith police personnel arrived there and half
burnt dead-body of deceased was recovered.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case merely



because he happens to be husband of the deceased. At the time of occurrence, petitioner was in State of Maharashtra for his livelihood and after getting the knowledge that his wife got burnt during preparation of food, he came at his house by train. Petitioner never made any demand of dowry. Learned counsel further submits that though, there is allegation that due to non-fulfillment of demand of dowry, the daughter of informant was done to death by burning, but in the opinion of the doctor, the cause of death is due to poisoning. Petitioner is in custody since 03.08.2023.

5. However, learned counsel for the State and informant vehemently opposed the bail petition. Learned counsel for the informant submits that petitioner is husband of the deceased and there is specific and direct allegation against petitioner that he alongwith other family members demanded dowry and due to non-fulfillment of the same, committed the murder of daughter of the informant. The deceased died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the aforesaid facts and circumstances as well as the fact that petitioner is husband of the deceased and there is specific and direct allegation of dowry, the prayer for



bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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