

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11221 of 2025

Arising Out of PS. Case No.-731 Year-2021 Thana- SHERGHATI District- Gaya

Ashish Kumar @ Ashish Mandal S/O Raj Manjhi R/O Vill.- Bija, P.S.- Dobhi,
Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Adv

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 15-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 341, 323, 304(B) and
328 of the I.P.C.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have killed the sister of the
informant by administering poison to her due to non-fulfillment
of demand of dowry.

4. Learned counsel for the petitioner has submitted
that the petitioner being the husband of the deceased has falsely
been implicated in this case. It is further submitted that during
the course of investigation it has come that the petitioner was
not present at the place of occurrence and his wife was found



lying on the bed and it has also come during the course of investigation that rest of the in-laws used to live in a separate dwelling house across the road and the wife of the petitioner used to live alone. It is lastly submitted that the petitioner has clean antecedent and is in custody since 24.06.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the death of the victim has occurred within six months of the marriage and there is an allegation of demand of dowry and on account of non-fulfillment of the same the wife of the petitioner was done to death, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioner was not present at the place of occurrence and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 731 of 2021, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so



required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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