

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26247 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- CHAUSA District- Madhepura

Heera Kumar @ Heera Mandal Son of Shyam Mandal Resident of village -
Tirasi Chausa, Ward No.- 15, P.S.- Chausa, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Chand Prasad, Adv.
For the State	:	Mr.Shyam Kumar Singh, A.P.P.
For the Opposite Party/s	:	Mr. Rajesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chausa P.S. Case No. 186 of 2024, registered for the offences under Sections 328, 304B, 34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant was married with the brother of the petitioner and allegation against the petitioner and other co-accused persons is that of demanding Rs. 5 lakh and a motorcycle. The daughter of the informant was subjected to torture on non-fulfillment of the demand and further allegation is that the husband of the daughter of the informant did not use to provide her with



maintenance etc. while she has been staying in her matrimonial home. Subsequently, the informant came to know that someone administered her poison and resultantly she died.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the younger brother of the husband of the deceased and the deceased used to live with her husband separately in a separate house from the petitioner and the petitioner has no concern with the day to day affairs of the deceased. The petitioner never demanded any dowry or never tortured her in any manner. The daughter of the informant consumed poison and she was taken to hospital by her husband and in-laws. The husband of the deceased informed the informant about critical condition of her daughter and they also came to the hospital and the daughter of the informant died in their presence but subsequently, at the instance of her husband the informant lodged this false case against the petitioner and others. Learned counsel further submits that the petitioner is in custody since 27.08.2024 and charge sheet has been submitted. The petitioner has got clean criminal antecedent.

5. Learned A.P.P. appearing for the State as well as learned counsel for the informant vehemently oppose the



submission made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation of torture and treating with cruelty against the petitioner and other co-accused persons. The informant was informed by the doctor where her daughter was being treated and not by her son-in-law.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubt over exact manner of death and further considering the relationship of the petitioner with the deceased and also considering his period of custody and of submission of charge sheet and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura/concerned court, in connection with Chausa P.S. Case No. 186 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a 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 three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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