

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66187 of 2024**

Arising Out of PS. Case No.-326 Year-2023 Thana- PIPRA District- Supaul

1. Siken Mandal @ Sikendra Mandal S/o Yogi Mandal @ Yogendra Mandal R/o Village- Nirmali, PS- Pipra, District- Supaul
2. Yogi Mandal @ Yogendra Mandal S/o Late Cheddi Mandal R/o Village- Nirmali, PS- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**

ORAL ORDER

5      08-04-2025      Heard the parties.

2. The petitioners are apprehending their arrest in connection with Pipra P.S. Case No. 326 of 2023 for the offence under Sections 302, 304(B), 201, 120(B), 34 of the I.P.C.

3. As per the prosecution story, daughter of the informant (deceased) had solemnized marriage with accused namely Gurdev Kumar, against the wishes of her parents. On 27.07.2023, informant received an information that his daughter was murdered due to non-fulfillment of dowry demand. Thereafter, he reached at the matrimonial home of his daughter at Nirmali where mother of the accused Gurdev Kumar was present but other accused persons were not available there and the house was locked. When the informant enquired about



his daughter then it came to his knowledge that on 27.07.2023 all co-accused persons including petitioners have demanded dowry of Rs. 8 lakh from his daughter and due to non-fulfillment of the said demand, they along with some other unknown persons caused death of his daughter and disposed off her dead body with a view to screen the evidence.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have falsely been implicated in the present case only with a view to harass and humiliate them. Petitioner no. 2 Yogi Mandal is uncle of husband of deceased and petitioner no. 1, Siken Mandal is his cousin. They live separate from the family of main accused Gurudeo Kumar and has no concern with them. Specific allegation is on co-accused Gurudeo Kumar. He further submits that occurrence took place on 27.07.2023 but FIR has been lodged on 16.10.2023. Therefore, there is delay of 2 months 19 days in lodging FIR and explanation given in fardbayan is not plausible one.

5. Learned Additional Public Prosecutor for the State opposed the prayer for anticipatory bail.

6. During course of argument learned counsel for the petitioner submits that petitioners are living separately with the



husband of deceased and deceased - Jyoti Kumari had solemnized love marriage with Gurudeo Kumar (co-accused). In case diary at para 28, 29 and 30, several witnesses, who are neighbours of husband of deceased, have stated that the deceased Jyoti Kumari committed suicide because there was no cordial relation between the deceased and her husband. On perusal of para 40 of the case diary, it is stated that petitioners are living separately since 20 years and at para 192, statement of witness Rajkumar Mandal, has been recorded who has also stated about the suicide of deceased.

7. Keeping in view the aforesaid facts, this Court is inclined to enlarge the petitioners on anticipatory bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J. M. 1st Class, Supaul in connection with Pipra P. S. Case No. 326 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(S. B. Pd. Singh, J)**

prabhakar/-

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