

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67525 of 2025

Arising Out of PS. Case No.-381 Year-2023 Thana- COMPLAINT CASE - NAUGACHIA
District- Bhagalpur

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Tuntun Mandal @ Tuntun Kumar Mandal S/o Masudan Mandal R/o vill-
Pakra Tola, Bhim Das tola, P.S.- Gopalpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Luci Kumari W/o Tuntun Mandal, D/o Late Kailash Mandal R/o vill -
Chapar Diyara, P.S.- Rangra (Gopalpur), Distt.- Bhagalpur
- Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, A.P.P.
For the complainant	:	Mrs. Pravina Kumari, Adv.
		Mr. Jyoti Ranjan Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 22-12-2025 Heard learned counsel for the petitioner, learned

counsel for the opposite party no. 2/complainant and learned

APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Complaint Case No. 381 of 2023, registered for
the offences under Sections 323, 341, 354(B), 307, 498(A),
120(B) and 34 of the Indian Penal Code and Section 3, 4 of the
Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and other
co-accused persons had been demanding Rs. 4 lakh and a
motorcycle in dowry and on non-fulfillment of this demand, the
accused persons variously tortured the complainant and drove
her out of their house.

4. Learned counsel appearing on behalf of the



petitioner submits that there is allegation that petitioner is the husband of the complainant but no marriage was ever solemnized between the complainant and this petitioner. The sister of the complainant was married in the neighbourhood of the petitioner and she used to visit her sister's house but no marriage was ever solemnized between them. From the complaint petition it is clear that there is general and omnibus allegation against all accused persons and nothing specific has been said against this petitioner. The petitioner has been sent to custody on 02.07.2025 and he is having clean antecedent. The petitioner was enlarged on provisional bail by a Co-ordinate Bench vide order dated 18.09.2025.

5. Learned APP appearing for the State and learned counsel for the complainant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the complainant submits that the marriage was duly solemnized but now the petitioner and his family members do not want to keep the complainant and has driven her out from their house. They also assaulted the complainant and her mother during *panchayati*.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the



nature of allegation and period of custody of the petitioner, 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 SDJM, Naugachia/concerned court, in connection with ***Complaint Case No. 381 of 2023***, subject to the condition laid down under Section 480(3) of the BNSS 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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