

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76146 of 2025**

Arising Out of PS. Case No.-876 Year-2020 Thana- PURNIA COMPLAINT CASE District-  
Purnia

=====

Dilkhush Kumar S/O Nand Kishor Mandal R/O Vill.- Dhrub Vilas, Ward no. 1, P.S.- Jankinagar, Dist.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Mandal S/O late Sahdeo Mandal R/O Vill.- Raghunathpur, Ratanpatti, Ward no. 1, Khusropatti, P.S.- Murliganj, Dist.- Madhepura.

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      01-12-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with C-A Case No. 876 of 2020 dated 31.08.2020 registered for the offences punishable under sections 304(B) and 498(A) of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have murdered the complainant's daughter due to non-fulfillment of Rs. 2,00,000/- as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely been



implicated in the present case. The petitioner has not tortured the complainant's daughter. It is submitted that the victim has died due to food poisoning and to that effect the father of the petitioner has lodged Janki Nagar P.S. Case No. 04 of 2020 before the Officer-in-Charge, Janki Nagar, Purnea, annexed as Annexure-2 to the bail application. It is further submitted that the alleged occurrence took place on 10.08.2020 and the complaint was filed on 31.08.2020 after a lapse of 20 days of the alleged occurrence and the delay in filing the complaint case has not been explained by the prosecution. It is submitted that after death of the victim, the police was informed by the petitioner's father and thereafter her dead body was sent for postmortem and its report and the dead body was not burnt in hurry. It is further submitted that from perusal of the postmortem report, it appears that the doctor has opined that no definite cause of death could be ascertained, however, part of liver, spleen, kidney, lungs, heart, stomach and part of intestine with its contents has been sent for forensic examination. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application and he is in custody since 09.02.2024.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner by submitting that the



petitioner is the husband of the deceased and he alongwith other accused persons murdered the deceased. Earlier the bail application of the petitioner had rejected by this Court vide order dated 29.08.2024 passed in Cr. Misc. No. 33190 of 2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnia, in connection with C-A Case No. 876 of 2020, with the condition :-

*(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.*

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Jyoti/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

