

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6064 of 2021

Arising Out of PS. Case No.-341 Year-2020 Thana- FORBESGANJ District- Araria

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MUKESH MANDAL Son of Mahendra Mandal Resident of Village-Raniganj
Potary, Ward No.-1, P.S.-Forbesganj, District-Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sugandha Prasad, Adv.
For the Opposite Party/s : Mr.Virendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-05-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Forbesganj
P.S. Case No.341/2020 registered for the offence punishable
under Sections 304(B), 201, 34 of the IPC.

The allegation against the petitioner is that he along with
his family members have killed his wife on account of a dispute
of money transaction and burnt her deadbody.

It is submitted by learned counsel for the petitioner that
the petitioner is innocent and has not committed any offence as
alleged in the FIR and has been falsely implicated in this case. It
is submitted that police has filed chargesheet under section
304(B) and 301/34 of the IPC but no offence is made out against
the petitioner under these sections as there is no allegation of



any demand of dowry. Petitioner is the husband of the deceased and entire family members have been made accused in this case. It is submitted that from perusal of the case diary, it is clear that no independent witness has supported the prosecution case but only the family members of deceased has supported the case and the victim died due to cardiac arrest. The petitioner has no criminal antecedent as per para-3 of the bail application and has been languishing in custody since 13.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No.341/2020.

(Anjani Kumar Sharan, J)

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