

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12497 of 2015

Arising Out of PS.Case No. -295 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

Kapildeo Mandal S/O Late Rupan Mandal Resident of Village Raghapur,
P.S. Nathnagar, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party : Mr. M.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offence punishable under Section 302 of the Indian Penal Code.

The widow of the deceased stated that her husband was mentally ill for last six months and he was taking wine and Ganja. Somebody stabbed him on 27.09.2014. During the course of treatment her husband died on 12.10.2014.

Submission is that the informant disclosed that she enquired from her husband as to who stabbed him, but her husband did not disclose the name of any person. The mother-in-law of the informant also did not disclose the name of any person. During the course of investigation, the informant herself after one month of the occurrence disclosed that the petitioner who happens

to be younger brother of the deceased stabbed her husband in his abdomen. The witnesses in para 16 and 17 of the case diary also disclose that they heard about the occurrence that the petitioner stabbed his own brother.

It appears that there is no eye witness of the occurrence and except suspicion and hearsay witnesses, the petitioner is rotting in jail since 23.11.2014. Considering the facts aforesaid the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhagalpur in Nathnagar P.S. Case No. 295 of 2014.

(Prabhat Kumar Jha, J.)

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