

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48399 of 2014

Arising Out of PS.Case No. -17 Year- 2013 Thana -PARBATTa District- BHAGALPUR

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Vikram Mandal S/o Late Kapo Mandal @ Kapildeo Mandal Resident of
Village Sakahara, P.S. Bariyarpur, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302 and 201/34 of the Indian
Penal Code.

The case is based on circumstantial evidence. On
08.01.2013 the deceased had gone with his Jugar Gadi for earning
but he did not return. On 16.01.2013 on information given by
Mausi, the FIR was lodged against unknown. The dead body of
the deceased was recovered near Parbata. Post mortem was
conducted on the dead body and found asphyxia due to
strangulation which is the cause of death. In course of
investigation re-statement and the statement of other witnesses

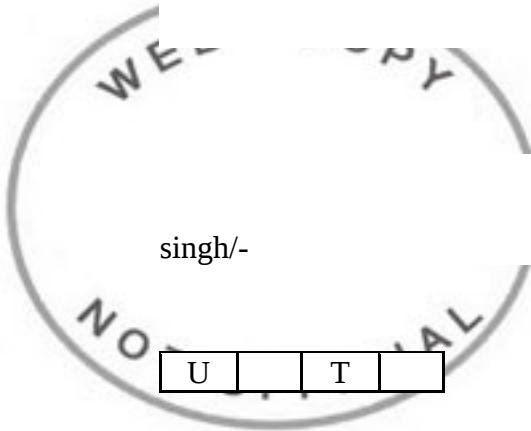


including that of Sagar Mandal (brother-in-law of the petitioner) were recorded from where it appears that the petitioner along with three others were seen on Jugar Gadi. Apprehension has been raised against the petitioner. According to them they have criminal antecedent. So far petitioner is concerned, except the statements subsequently recorded in course of investigation indicating that he was seen on Juguar Gadi along with the deceased, there is no other incriminating evidence/material against the petitioner. The petitioner has no criminal antecedent and is languishing in custody since 17.08.2014.

Considering the submissions of the parties, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Naugachiya in Parbatta P.S.Case No. 17/2013, subject to the conditions:-

- (i) One of the bailors shall be the own/close family members of the petitioner.
- (ii) The petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/ satisfactory reason, the bail bond of the petitioner

shall be cancelled and thereafter the trial court will be
at liberty to secure his arrest in accordance with law.



(Kishore Kumar Mandal, J)