

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9787 of 2015

Arising Out of PS.Case No. -49 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

Vijay Mandal Son of Late Brahmdeo Mandal Resident of Bajrangwali Tola
Naugarhi, P.S. Narayan Nagar, District - Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra

For the Opposite Party/s : Mr. Arun Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 04-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
23.08.2014 in a case registered for the offences punishable under
Sections 364 and 307 of the Indian Penal Code. Subsequently,
sections 302, 201/34 of the IPC and 27 of the Arms Act were also
added.

The brother of the informant went for the
land measurement work but he did not return when it was
suspected that he has been killed. The FIR was lodged against

unknown.

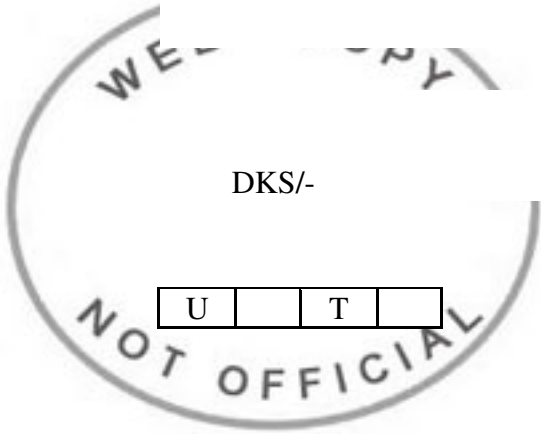
It is submitted by learned counsel for the State that from paragraph 26 of the case diary it transpired that the petitioner used to harvest the crop of the informant's side when petitioner used to give life threatening earlier. Statement of witness recorded in paragraph 40 of the case diary suggests that the dead body was being taken in a boat being driven by the brother-in-law (Sala) of the petitioner. It also transpired during investigation that the petitioner was seen at the place of occurrence prior to the occurrence.

It is submitted by learned counsel for the petitioner that only on the basis of circumstantial evidence the petitioner has been roped in the present case.

Considering the circumstantial nature of accusation and the investigation being concluded, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 49 of 2013.

Since the petitioner is accused in four other cases, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some

serious nature of the offence or defaults for two consecutive occasions.



(Dinesh Kumar Singh, J)