

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25672 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

=====

Jiyalal Mandal son of late Bhola Mandal resident of village Ajmerijpur P.S.
Nathnagar Dist Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 23-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
04.04.2015 in a case registered for the offences punishable under
Sections 302, 201 and 506/34 of the Indian Penal Code.

The prosecution case is that the daughter of
the informant Kiran Kumari went in the company of co-accused
Chandan Kumar, Kanhaiya Kumar and this petitioner on
16.03.2015 since then she went traceless. When the informant
went to the petitioner to enquire about his daughter then he gave
life threatening. On 19.03.2015 at 2.00 P.M. dead body of the
daughter of the informant was recovered from a maize field of Upi
Yadav.

It is submitted by learned counsel for the

petitioner that there is no eye witness to the occurrence. The victim went traceless on 16.03.2015 but no information was given to the police and ultimately after recovery of the dead body on 19.03.2015 the FIR was lodged which reached to the court of learned CJM on 24.03.2015 which suggests that the FIR was registered by ante-dating and the delay in lodging of the FIR clouds the accusation of last seen against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent and similarly situated Chandan Kumar has been granted bail vide Cr. Misc. No. 23992 of 2015, who earlier tried to outrage the modesty of the victim Kiran Kumari.

Considering the aforesaid facts, 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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar P.S. Case No. 49 of 2015.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--