

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50245 of 2015

Arising Out of PS.Case No. -416 Year- 2014 Thana -BIHPUR District- BHAGALPUR

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1. Navin Mandal Son of Late Kailash Mandal, Resident of Village- Lattipur,
Police Station- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Bihpur P.S.
Case No. 416 of 2014 registered for the offence punishable under
Section 306 of the Indian Penal Code.

Allegedly, for partitioning the land there was some
altercation between the petitioner and the daughter of the
informant resulting the daughter of the informant consumed
poison and died.

Submission is of false implication and that the
petitioner is the Bhaisur of the deceased having no concern with
the family affairs of the deceased and her husband, the petitioner



is labourer and was living separately and family partition had already taken place five years ago. Not a single eye witness came forward to support the prosecution case and further the source from whom the informant came to know has not been disclosed and as such the petitioner who is suffering in custody since 02.06.2015 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that the deceased committed suicide by consuming poison.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned IVth Additional Sessions Judge, Naugachia in Sessions Trial No. 422 of 2015 arising out of Bihpur P.S. Case No. 416 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the

default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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