

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42306 of 2014

Arising Out of PS.Case No. -233 Year- 2013 Thana -GOGRI District- KHAGARIA

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1. Mithun Mandal @ Mithun Kumar @ Kundan Kumar S/o - Laddu Mandal
Resident of Village - Dhgana - Chandpur, P.S.- Gogri, Distt - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-02-2015 Heard both sides.

The petitioner seeks bail in Gogri P.S. Case No. 233 of 2013, registered for the offences punishable under Section 302 of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that the petitioner had come to her house in search of the deceased. They were saying that the deceased had committed theft of 'Kalasa' and the accused persons would kill him. On the next day the dead body of the deceased was found hanging in a mango tree situated in orchard of Hari Kishore Sinha.

Learned counsel for the petitioner submits that the informant is not an eye witness of the occurrence. Even during the

course of investigation, none of the witnesses has come forward to say that the petitioner killed the deceased. On mere suspicion the name of the petitioner has figured in the case.

Considering the facts aforesaid and the fact that except suspicion there is no material to show the involvement in the alleged occurrence, the petitioner 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 Sri Prashant Kumar, the learned Judicial Magistrate, 1st Class, Khagaria in connection with Gogri P.S. Case No. 233 of 2013.

(Prabhat Kumar Jha, J.)

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