

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19262 of 2015**

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

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Tuntun Mandal Son of Fulo Mandal, resident of village- Aantiram Tola,  
Bijai Nagar, 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. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Gulnar Begum(App)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      16-06-2015                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is seeking bail in  
connection with Parbatta P.S. Case No. 17 of 2013 registered for  
offences under sections 302, 201/34 of the Indian Penal Code.

As per the first information report, 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 Mausī, 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 Jugar 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.

The name of the petitioner has surfaced during investigation.

Considering the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate, Naugachiya in Parbatta P.S. Case No. 17/2013, subject to the following 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.

**(Shivaji Pandey, J)**

Mahesh/-

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