

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24845 of 2016

Arising Out of PS.Case No. -88 Year- 2014 Thana -JHAJHA District- JAMUI

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1. Shambhu Mandal Son of late Udo Mandal Resident of Village
Balabathan, PS Sono, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Prakash

For the Opposite Party/s : Mr. R.N. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 364, 448, 427/34 and 302 of the Indian Penal Code.

Prosecution story, in brief is that the informant on
27.5.2014 at 5:00 PM alongwith his wife Kanchan Devi was
returning to his house from Jhajha market and as soon as he
reached near Kathotiya hill, a person came and caught hold him
and assaulted him. His wife raised alarm, then he left the
informant. In the meantime, six another persons also arrived there
and abused him and told to kill. The informant identified four
persons including the petitioner. They caught hold his wife, then
informant, any how fled away and reached at Tarakura village in
the house of his daughter Sarita Devi. It is alleged that earlier a

case no. 1519c/2012 was filed against these persons by Kanchan Devi. Besides the above said accused persons were also accused in the murder case of his son Bolbam Kumar bearing Sono P.S. Case No. 136 of 2013 and they were making planning for kidnapping of his wife with intention to kill if he is further alleged that accused persons also entered into his house and damaged his properties.

It is submitted on behalf of the petitioner that the petitioner is in custody since 21.3.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence alleged against the petitioner. It has been alleged by the informant that the deceased was taken away by the petitioner and subsequently her dead body is said to have been found. Petitioner is the brother of the deceased and the deceased is the wife of the informant. Except the informant, there is no other witness to support the allegation of abduction of the deceased by the petitioner. Mother of the deceased has been examined in para 46 of the case diary. She has alleged that the deceased has been done to death by the informant of this case. In past also such false cases had been filed by the informant against the petitioner and his family members.

On behalf of the State it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let above named petitioner, 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 learned S.D.J.M, Jamui, in connection with Jhajha P.S. Case No. 88 of 2014.

siddharth/-

(Sudhir Singh, J)

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