

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3027 of 2016**

Arising Out of PS.Case No. -402 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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1. Dewan Mandal, son of Ramavtar Mandal, Resident of Village- Ramisan  
Diyara, P.S. Bariyarpur, District- Munger.

.... .... Petitioner/s

Versus

1. 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. C.Jawahar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
**ORAL ORDER**

3      22-01-2016      Heard learned counsels for the petitioner and the  
  
State.

The petitioner is apprehending arrest in a case  
registered for the offences punishable under sections 364,302 and  
201/34 of the Indian Penal Code.

The prosecution case is that the son of the informant  
had gone to see fair on 3.10.2014 by motorcycle having three  
mobiles but he did not return. Subsequently, the dead body was  
recovered. The name of the petitioner sprang up on the confession  
of co accused Pawan Mandal and Bauku Mandal. On their  
confession, the dead body of the son of the informant namely  
Arvind Mandal was also recovered.

It is submitted by the learned counsel for the

petitioner that the confessions of co accused were obtained by applying third degree method by the police after recovery of the dead body. Co-accused Bouku Mandal and Pawan Mandal have been granted regular bail vide Cr. Misc. Nos. 32879 and 31736 of 2015 by co-ordinate benches of this court. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that except confession of co accused, there is nothing on record to suggest the complicity of the petitioner. The impugned order does not show any material apart from the confession of co accused.

Considering the aforesaid facts, this court sees no reason for the learned court below not grant consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Gopalpur (Rangra) P.S. Case No. 402 of 2014 pending in the court of learned ACJM, Naugachia, Bhagalpur.

This application is disposed of with the aforesaid observation/direction.

**(Dinesh Kumar Singh, J)**

Anil/-

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