

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45972 of 2015

Arising Out of PS.Case No. -93 Year- 1998 Thana -BIHPUR District- BHAGALPUR

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1. Mahendra Mandal, Son of Late Saryug Mandal, resident of Village-
Dudhaila, Police Station:- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bihpur
P.S. Case No. 93 of 1998 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

Allegedly the petitioner and other co-accused came at
the house of the informant and took away the husband of the
informant on the plea that at the house of Maksul Mandal at
Village Bishauni, rice and fish have been arranged for eating and
then her husband went with them and thereafter his dead body was
found at the bank of river Ganga.

Submission is of false implication and that there is no
direct evidence against the petitioner, the petitioner was not aware

regarding his involvement in this case and, as such, he did not appear earlier and he has been arrested resulting he is suffering in custody since 23.01.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner remained absconding and this is the case of the year 1998.

In the facts and circumstances stated above, considering the period of abscondance and this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However the petitioner may renew his prayer for bail after framing of charge.

(Jitendra Mohan Sharma, J)

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