

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14484 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -NTPC District- BHAGALPUR

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1. Chandan Kumar @ Chandan Mandal son of Hira Lal Mandal, resident of
Sultanganj, Gali No. 1, P.S.- Sultanganj, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 08.04.2016 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 302,
120B/34 of the Indian Penal Code as well as section 27 of the Arms
Act.

Informant is not an eye-witness of the alleged occurrence
and he has stated in his fardbeyan that some unknown persons
committed murder of his son but he expressed his doubt against the
petitioner and some others on the ground that at the time of alleged
occurrence, he had seen the petitioner and others near the place of
occurrence.

Learned counsel for the petitioner points out that petitioner
happens to be own brother-in-law of the deceased and, as a matter of
fact, sister of the petitioner was killed by the deceased and his family
members including the informant for which mother of the petitioner
lodged Kahalgaon P.S. case no. 229/2015 and that is the reason of

false implication of the petitioner in the present case.

No doubt, enmity cuts in both ways but it is admitted position that investigation against the petitioner has already been completed and except suspicion, I.O could not succeed to collect any cogent material to show prima facie involvement of the petitioner in the alleged crime.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in NTPC P.S. Case no. 49/2015.

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(Hemant Kumar Srivastava,J)

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