

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17590 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Pawan Mandal @ Pawan Kumar Mandal, Son of late Chhabil Mandal
 2. Prem Lal Mandal, Son of late Jugal Mandal

Both are residents of Village - Laluchak Champanagar, P.S. Nath Nagar,
District - Bhagalpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajive Ranjan Singh, Advocate
For the State : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Nath Nagar P.S. Case No.7/2016 registered for offences
punishable under Sections 302/34 of the Indian Penal Code.

It is contended on behalf of the petitioners that they
have been implicated in this case only on the basis of confessional
statement of the co-accused Niranjana Yadav which does not have
any evidentiary value. It is further contended that F.I.R. has been
lodged against the unknown persons. However, in the first



information report the informant, the daughter of the deceased has stated that her father was killed by unknown person, however, it was stated that a dispute was going on between her father and PDS dealer Ram Dulari Devi and, in view of threat, Mukesh Mandal and others had threatened her father. During course of investigation, materials have come up against Ram Dulari Devi and the petitioners.

Learned counsel for the State submits that in the confessional statement, co-accused Niranjan Yadav has stated that on contract given by the aforesaid Ram Dulari Devi, he has killed the deceased. The allegation against the petitioners is that they were keeping watch upon the deceased and transmitting his movement to the aforesaid contract killer on their cell phones. Thus, it is contended that involvement of the petitioners is writ large not only from the confessional statement made by the co-accused Niranjan Yadav but also by the call details of the Ram Dulari Devi and the petitioners obtained during course of investigation which shows that they had several times called the aforesaid Niranjan Yadav from their respective cell phones and Niranjan Yadav had also called them.

Having regard to the aforesaid facts and circumstances of the case, accordingly, this Court would not be inclined to grant

privilege of anticipatory bail to the petitioners.

This application is dismissed.



Sanjay-II/-

(Dr. Ravi Ranjan, J)

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