

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23458 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -TIKAPATTI District- PURNIA

- =====
1. Karan Mandal @ Karent Mandal son of Upendra Mandal resident of Village Simra, P.S. Tikapatti, Distt- Purnea.
2. Pinku Mandal son fo Bindeshwari Mandal resident of Village- Simra, P.S. Tikapatti, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 29.02.2016 in connection with Tikapatti P.S. Case No. 132 of 2015 for the offences instituted under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 28.11.2015 at 8.30 P.M, F.I.R named accused person Kundan Kumar Mandal who happens to be her co-villager took away her son on his Motor cycle to village Simra for watching drama but in the next morning on 29.11.2015 she came to know that her son Chandan Mandal has been killed and dead body has been thrown in a bamboo orchard and on such information she started searching Kundan Mandal. Neither he nor his motor cycle was traced out. The informant claimed that her son has been killed by Kundan Kumar Mandal

along with his associates.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 29.02.2016. Charge-sheet has been submitted in the present case. They got no criminal antecedent. There is no allegation of tempering of evidence of the witnesses against the petitioners. Petitioners are not named in the FIR. After one month of the occurrence the name of the petitioners have come in the present case. Para 65 of the case diary indicates that the deceased was misbehaving with the ladies and for the said reason he was done to death. The other co-accused have been granted bail vide Cr. Mis. No. 23082 of 2016 and Cr. Misc. No. 28122 of 2016.

On behalf of the State it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Purnea in connection with Tikapatti P.S. Case No. 132 of 2015.

(Sudhir Singh, J)

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