

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14492 of 2016

Arising Out of PS.Case No. -306 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

1. Santosh Mandal @ Pudwa @ Fudwa son of Late Arjun Mandal, resident
of village- Rampur, P.S. Shivnarayanpur (Kahalgaon), District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 13-05-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

Allegedly, Rinku Devi, the sister of the informant,
was married to Girdhari Mandal, the brother of the petitioner in
the year 1998, there was demand of Rs. 50,000/- and for that she
was being tortured, however, the father of the informant gave Rs.
30,000/- but due to non fulfillment of rest amount she was being
tortured and earlier she was administered poison also and on
29.07.2015 Shiv Raj Kumar, the son of Rinku Devi informed the
informant that his father and uncle Santosh Mandal after
sprinkling kerosene oil on the body of his mother burnt her and the
dead body was taken away by them. His father Girdhari Mandal
was having illicit relationship with another lady which was being

opposed by his mother.

Submission is of false implication and that the petitioner has got no concern with the family affairs of Girdhari Mandal and his wife, he is living separately, he has demanded nothing at any point of time, the husband is in custody, Shiv Raj Kumar has filed a petition in the court below that the informant has filed this false case and as such the petitioner who is suffering in custody since 17.08.2015 after his surrender deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by pointing out the statement of Shiv Raj Kumar recorded by the police, vide paragraph-6 of the case diary.

In the facts and circumstances as stated above, considering the statement of Shiv Raj Kumar, the son of the deceased, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S.T. No. 729 of 2015 arising out of Kahalgaon (Shivnarayanpur) P.S. Case No. 306 of 2015 pending in the court of 5th A.D.J. Bhagalpur.

However, let the trial be expedited and after examination of Shiv Raj Kumar during trial the petitioner may renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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