

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14632 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -BHAWANIPUR District- PURNIA

=====

Tulsi Mandal, son of Ramfal Mandal, Resident of village Mahth Tola
Askatiya, P.S. Bhawanipur, District Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.
For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Bhawanipur P.S. Case No.
163 of 2016 instituted for the offence under Sections 364, 302
and 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
his name has been disclosed in the written report by co-accused
Sitara Khatoon. The dead body of the deceased boy was
recovered on the basis of confession made by Sitara Khatoon.

As per written report there is allegation against the
petitioner that Sitara Khatoon told the informant that since his
son had seen the petitioner in compromising condition with Sitara
Khatoon, they both, have murdered his son.

In this manner, besides disclosing the name of the



petitioner by co-accused Sitara Khatoon, there is no specific overt act alleged against the petitioner.

From the order of Sessions Judge also it appears that besides confessional statement of Sitara Khatoon, there is no specific overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Purnea, in connection with Bhawanipur P.S. Case No. 163 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

