

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12596 of 2017

Arising Out of PS.Case No. -63 Year- 2015 Thana -SONO District- JAMUI

=====

1. Latalu Mandal son of Late Basdeo Mandal @ Baldev resident of
Dhodhari Tola Nimare, P.S. Sono (Charkapather) District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mrs. Smt. Anita Kumari Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 01-05-2017 Heard both sides.

The petitioner seeks bail in Sono P.S. case No. 63 of 2015 under Section 364 of the Indian Penal Code. Later on Section 302, 201/34 of the IPC were added.

The informant, wife of the deceased Vijay Mandal, alleged that on 08.04.2015 the petitioner and other accused persons came to her poultry farm and started forcibly taking away hens from the poultry farm. They also burnt the poultry farm. When the husband of informant tried to go to the police station the accused persons threatened him to kill. It is further alleged that on 11.04.2015 the petitioner and other accused persons came and indiscriminately assaulted her husband. The informant raised alarm but the accused persons, after killing her husband, fled away with the dead body.



The learned counsel for the petitioner submits that the informant did not lodge any case with regard to the occurrence took place on 08.04.2015. The informant made her further statement and disclosed that she saw the dead body of her husband lying on the place of occurrence but no dead body was found at the place of occurrence. During the course of investigation, some bones etc. were recovered and thereafter the I.O. filed petition for adding Section 302, 201/34 of the IPC but from perusal of the case diary, it appears that the informant stated in her fard bayan itself that the accused persons took away the dead body after killing her husband. The I. O. did not find the dead body on the place of occurrence. From perusal of the case diary it also appears that the I.O. found that the roof of poultry farm was burnt. Blood stained plank of wood was found on the place of occurrence. The witnesses, during the course of investigation, have also stated that petitioner and others killed the husband of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/-

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

