

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31034 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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Manoj Mandal, son of Wakil Mandal, Resident of Village- Parmanandpur,
P.S.- Bihariganj, Dist.- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Lakshmi Kant Tiwary, Advocate
Mr. Nitesh Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 22-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
20.04.2017 in connection with Bihariganj P.S. Case No. 122 of
2017 registered for the offence punishable under Sections 302 and
201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter-in-law, Sunita Devi had gone to maize field in
the evening for collecting grass and did not return. On search, she
could not be found. Thereafter, on the next day, the police and the
villagers went to the field and found her dead body in the maize



field of a villager and her throat was slit.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid offence. In fact, he was appointed as guard to look after the field of several villagers and just because the occurrence happened in the field, he has been implicated along with one Satish Mandal, son of Budho Mandal and the witnesses have stated that they had seen Satish Mandal with the petitioner. He submits that there is no eye-witness to the alleged occurrence and it is only on the basis of suspicion that the petitioner has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that there was cold-blooded murder of informant's daughter-in-law and son of Budho Mandal, namely, Satish Mandal was found roaming near the place of occurrence and the petitioner was also with him, but admits it was only hear-say.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Udakishunganj in connection with Bihariganj P.S. Case No. 122 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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