

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34160 of 2017

Arising Out of PS.Case No. -108 Year- 2007 Thana -BARHARA District- PURNIA

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Rajesh Kumar Mandal @ Rajesh Mandal, son of Late Satya Narayan Mandal, Resident of Village- Laxmipur Bhatta, P.S.- Barhara (Raghubans Nagar), District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 08.02.2017 in connection with Barhara (Raghubans Nagar) P.S. Case No. 108 of 2007 bearing S.T. No. 143 of 2017 for offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his sister was married to one Amar Mandal and the in-laws as well as the petitioner who is Dewar have killed his sister and her dead body was found in the Bathan near the house.

It has been submitted by the learned counsel for the petitioner that he is innocent and there is no specific allegation upon him. The only ground of rejection before the court below was that the matter was of 2007 and the petitioner was evading



arrest and absconding and after 10 years on 08.02.2017 he has surrendered. He submits that the husband Amar Mandal has been acquitted by the Presiding Officer, Fast Track Court- VI, Purnea in S.T. No. 85 of 2008 on 31.07.2010 and other co-accused Babita Devi has also been acquitted by the Presiding Officer, Fast Track Court- VII Purnea in S.T. No. 1023 of 2010 on 25.04.2012. He submits that general and omnibus allegation had been levelled against all the in-laws of the deceased and he had gone out of the village to earn his livelihood and had no knowledge of the present case. He submits that charge has already been framed and trial is going on and undertakes to cooperate in the trial.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Presiding Officer, F.T.C.-1, Purnea in connection with Barhara (Raghubans Nagar) P.S. Case No. 108 of 2007 bearing S.T. No. 143 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/



court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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