

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10098 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Vimal Kumar Mandal, son of late Damodar Mandal, resident of village-
Rupauli Diyra, P.S.-Bhawanipur, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Bhawanipur
P.S. Case No.221 of 2016 instituted for the offence under
Section(s) 302, 120-B, 201/34 Indian Penal Code.

It has been submitted on behalf of the petitioner that
there is no material against him except suspicion. It has further
been submitted that the informant is not an eye witness. She has
mere raised suspicion against the petitioner on the ground that the
deceased had illicit relationship with the daughter of this
petitioner.

From the written report also, it appears that
informant was living in Chapra and her husband was posted at
Bhawanipur, Purnea. She got information through one Suraj



about death of her husband on telephone from Bhawanipur. In this manner, the informant has raised mere suspicion against the petitioner on the ground that the deceased had illicit relationship with his daughter.

Case diary has been received.

Learned APP after going through the case diary has submitted that there is no eye witness to the occurrence.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bhawanipur P.S. Case No.221 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to
move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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