

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51825 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -PANDAU District- MADHUBANI

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Kishan Mandal @ Krishna Mandal, son of Late Kailash Mandal, resident of
village-Sisba, P.S. Pandaul, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Pandaul P.S. Case No.11 of 2017 registered under Sections 302
and 201/34 of the Indian Penal Code, pending in the court of the
Chief Judicial Magistrate, Madhubani.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that on 23.01.2017,
the deceased Babulal Chaupal, the father of the informant Horil
Chaupal, had gone with Lal Bachhan Chaupal for doing the work
of mason. In the evening Lal Bachhan Chaupal informed the
informant that his father had taken the liquor with Ugan Das and,
thereafter, he went to somewhere but he did not return. After



sometime, Ugan Das came and told that his father had gone with some unknown and he kept the key of the cycle of his father with him after locking the same, saying Lalbachhan Chaupal to wait for him. Later on, on search by the informant, the dead body of his father was found at Guas Bazar sustaining cut injury on the neck. As such, the petitioner is not named in the F.I.R. In course of investigation, the statement of the wife of the petitioner was recorded under Section 164 of the Code of Criminal Procedure in which she has stated about committing the murder of the deceased, the father of the informant, by this petitioner due to committing rape at her by the deceased with the help of others.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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