

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17714 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -PARBATTa District- BHAGALPUR

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Kamleshwari Mandal, son of Late Dipan Mandal, R/o Village- Raghapur,
P.S.- Parbatta, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 20-06-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
26.09.2016 in connection with S.Tr, No. 105/2017, corresponding
to Parbatta P.S. Case No. 94/16, G.R. No. 1055/2016 for offences
punishable under Sections 302, 201, 120-B/34 of the Indian Penal
Code.

The prosecution case is that while the informant's
son, aged about seven years, was playing with the children of the
village, petitioner along with three other accused persons have
kidnapped and killed his son. Cause of dispute was that the
informant and the petitioner and other accused persons were
neighbours and there was a land dispute between the parties. The



body of the deceased was found in a ditch of the railway line and there was black mark on the neck.

It has been submitted by the learned counsel for the petitioner that he is innocent and just because there was previous land dispute between the parties and earlier some threatening given that the petitioner has been made accused. It is further submitted that the petitioner has no criminal antecedent and there is no eye-witness to the alleged occurrence.

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

Considering the facts and circumstances and 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 2nd Addl. Sessions Judge, Naugachia, Bhagalpur, in connection with S.Tr, No. 105/2017, corresponding to Parbatta P.S. Case No. 94/16, G.R. No. 1055/2016.

(Nilu Agrawal, J)

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