

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27003 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Mangal Pandit, Son of Late Mahadev Pandit resident of Village-Subaiya Tola Harehar Pur, P.S.- Kesariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 07-07-2017

Heard learned counsels for the petitioner. No one

appears on behalf of the State to assist the Court. It is unfortunate that Yesterday also no one had appeared on behalf of the State to assist the Court.

The petitioner is in custody in connection with Kesariya P.S. Case No. 243 of 2016 for the offences under Sections 302 and 34 of the Indian Penal Code.

It appears from the FIR that the informant has suspected the involvement of the petitioner in the mysterious death of his brother at his Sasural. The petitioner is 76 years old and he is co-villager of the informant. There is no eye witness to the occurrence. The petitioner is in custody since 31st January, 2017



and charge sheet has already been submitted in this case.

Counsel for the petitioner submits that co-accused Sunil Kumar Pandit and Chalitra Pandit, who are named in the FIR as suspects have already been granted bail by the court below in S. Tr. No. 95 of 2017 vide order dated 26.5.2017.

In view of the fact that the petitioner is a co-villager, there is no eye witness to the occurrence and similarly circumstanced co-accused have already been granted bail by the Court below, let the 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 the Chief Judicial Magistrate, Motihari, East Champaran or the successor Court in connection with Kesariya P.S. Case No. 243 of 2016, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, tamper with the evidence and influence the witnesses.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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