

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49592 of 2017

Arising Out of PS.Case No. -636 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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Rajdeep Mandal son of Ram Prabhati Mandal, resident of Village-
Tetarabad Chandpura, P.S. Gangaur, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Sri Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner along with mother, father and sister
have been made accused under Section 306/34 of the Indian Penal
Code which has been lodged by the father of the deceased.

Counsel for the petitioner submits that from the FIR it
appears that the ingredients of offence under Section 306 IPC is
not made out against the petitioner as the deceased was not abated
to suicide. He further submits that at best it is a case of suicide and
the petitioner has been implicated in this case merely on the basis
of suspicion with vague and omnibus allegation. He further
submits that prior to the instant case the petitioner has no criminal
antecedent and he is a bona fide student pursuing study.



Petitioner is in jail custody since 14.08.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria (Gangaur) P.S. Case No. 636 of 2016 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.



(iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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