

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54012 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Sanjeet Mandal, S/o Raj Kumar Mandal, resident of Village- Barikhal,
P.S.- Chousa (O.P. Fulout), District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017 Heard the counsels for the parties.

The petitioner seeks bail in connection with Chousa P.S. Case No. 103/2017 dated 22.04.2017 instituted for the offences under Sections 365 and 34 of the Indian Penal Code, but later, with the death of the deceased, Section 302 of the Indian Penal Code was also added.

It has been alleged by the informant, who is the father of the deceased, that on 19.04.2017 his son Sahanshah Chaudhary (deceased) had gone to the field but did not return. Later, it was learnt that the petitioner and his family members have kidnapped the son of the informant because of old enmity.

It has been submitted on behalf of the petitioner that the son of the informant went missing on 19.04.2017, but the F.I.R.



was registered on 22.04.2017. The petitioner was arrested on the next date, i.e. 23.04.2017. The dead body of the son of the informant was recovered on 26.04.2017, leading to the addition of Section 302 of the Indian Penal Code. It has further been submitted that because of the old enmity, the petitioner along with his family members have been named by the informant. There is no other material in the investigation papers except for the confession of the petitioner and other co-accused persons.

The petitioner is in custody since 24.04.2017.

Taking into account the fact that there is no eye-witness to the occurrence and the period of custody of the petitioner, this Court is inclined to grant bail to him.

The petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chousa P.S. Case No. 103/2017.

(Ashutosh Kumar, J.)

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