

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36371 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -BIBIGANJ District- KISANGANJ

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Raj Kumar Mandal Son of Sukaru Mandal, resident of Village- Bhelaguri
Dakshin Tola, Police Station- Bibiganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar Raj, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Bibiganj P.S.
Case No. 05 of 2018 registered for an offence punishable under section
306 of the Indian Penal Code.

The informant of this case is brother of deceased. It is
alleged that the husband of deceased was working at another place in
connection with livelihood. He used to send money to the deceased.
This petitioner had taken handsome amount from the deceased for
cultivation purpose. The deceased used to demand the said money
which was not returned by this petitioner. The deceased who was
facing hardship and finding difficulty in recovery of money,
committed suicide.

It has been submitted that there is no material against this



petitioner. The deceased herself committed suicide. The witnesses in course of investigation have not stated anything against this petitioner. The dead body of the deceased was found from a maize field situated at the distance of 500 meter from her house and from there an empty packet of pesticide (bluster 500 pesticides) was recovered. The petitioner is in custody since 21.03.2018 having clean antecedent and so he deserves to be enlarged on bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Kishanganj in connection with Bibiganj P.S. Case No. 05 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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