

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59411 of 2018**

Arising Out of PS. Case No.-266 Year-2017 Thana- LAKHISARAI District- Lakhisarai

Raja Mandal @ Raja Don S/o Mahesh Mandal, R/o Ward No. 22, Pachna Road, Naya Bazar, Opposite- Bharat Mata, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      03-12-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302/34 and 120(B) of the Indian Penal Code.

The prosecution case, in short, is that on 1.7.2017 at 11 A.M. the informant along with his family were in the house, the accused persons came at his house and told that one Balmiki Yadav called his son Vishal Samrat. When his son has not returned back, he called on his mobile. On 2.7.2017 again the informant called on mobile of his son, then Officer-in-charge, Lakhisarai received his phone and told that dead body of Vishal Samrat is found at the house of Balmiki Yadav hanging with



fan. It is further stated that he went there and saw the dead body of his son.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. Subsequently a protest petition was also filed in the court below. The petitioner was not named in the said protest petition. In course of investigation, a suspicion has been raised against the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. case



No.266 of 2017, subject to the conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

