

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50359 of 2018

Arising Out of PS.Case No. -545 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

Mulah Devi, Wife of Late Chunchun Mandal, Resident of Village -
Pannuchak, P.S. - Ghogha (Kagalgaon), District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
27.04.2018 in a case for the offence registered under Sections
302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 23.11.2014
at about 8 o' clock in the night, while the informant was cooking
meal at her house, her husband Nimu Mandal @ Niraj Mandal
came out from the house after wearing *Jacket* and thereafter she
heard the sound of five firing then she came out from the house
alongwith her *Nanad* Bina Devi and saw that her husband was
lying in front of the house of one Balla Mandal in dead condition
and he had sustained many gun injuries in his body and as soon as
she came out from her house and came at road she saw that all
four F.I.R. named accused persons were fleeing away from there



armed with weapons after killing her husband.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is alleged to have been seen fleeing away from the place of occurrence. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused person has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 27679 of 2015 dated 04.08.2015, Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned IIIrd Additional District and Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 376 of 2018, arising out of Kahalgaon (Ghogha) P.S. Case No. 545 of 2014.

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(Sudhir Singh, J)

