

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49150 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- BAHADURPUR District- Darbhanga

Sunil Kumar Mandal S/o Ramesh Mandal Residence of Mohalla/Vill - Dohat
Narayan, P.S. Baheri, Distt. Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Smt. Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Bahadurpur P.S. Case No. 48 of 2018 registered under Sections
302, 201/34 of the Indian Penal Code and Sections 25(1-b)a, 26,
35 of the Arms Act.

Petitioner along with other accused persons are
said to have eliminated Aman Kumar Singh and burnt his dead
body in order to conceal his identity as he was having illicit
affair with the wife of the friend of the petitioner, namely,
Jibendra Kumar Singh @ Azad Singh at the instance of said
accused.

It is submitted by learned counsel for the



petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. He happens to be friend of the deceased Aman Kumar Singh and had telephonic contact with him till nine days preceding to the occurrence. Thereafter, he had no contact with the deceased and he had no knowledge of the aforesaid occurrence. He had not made any confessional statement and confessional statement of the petitioner said to have been recorded by the police, has no evidentiary value in the eye of law. There is no eye witness of the occurrence. No incriminating article has been recovered from conscious physical possession of the petitioner. The petitioner has no role in the commission of the aforesaid occurrence. The petitioner has been languishing in custody since 09.03.2018 and said Jibendra Kumar Singh @ Azad Singh has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.08.2018 passed in Cr. Misc. no. 47241 of 2018 and co-accused Abhisekh Singh has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 03.07.2018 passed in Cr. Misc. no. 36555 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on 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, Darbhanga in connection with
Bahadurpur P.S. Case No. 48 of 2018.

(Prakash Chandra Jaiswal, J)

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