

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17682 of 2018

Arising Out of PS.Case No. -136 Year- 2015 Thana -BIHPUR District- BHAGALPUR

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1. Manoj Kumar Singh @ Manoj Mandal, Son of Bhahadur Mandal,
Resident of Village- Bharmarpur (Satiyara Tola), P.S.- Bihpur, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 06-04-2018 Heard both sides.

The petitioner apprehends his arrest in Bihpur P.S.
Case No.136 of 2015 registered under Sections 302, 201, 120B
and 34 of the Indian Penal Code.

The informant alleged that his son, Nitish Kumar was
traceless. During the course of search, his dead body was found by
the side of river Ganga. The informant came to know that while
his son was urinating, he was threatened of dire consequences.
The informant got belief that Khushbhu Kumari, Munna Mandal
and elder son of Bhahadur Mandal, the petitioner must have killed
his son.

The learned counsel for the petitioner submits that



there is absolutely no evidence against the petitioner save and except the suspicion. The police after investigation submitted final form finding the case false against the petitioner but the learned court below took cognizance. Khushbhu Kumari has already been granted anticipatory bail. Dharba Mandal @ Dharmendra Mandal has already been granted regular bail. The case of the petitioner stands on better footing.

Considering the facts that save and except the suspicion, there appears no material and police has submitted final form finding the case false against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order 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 learned A.C.J.M., Naugachhiya, Bhagalpur in connection with Bihpur P.S. Case No.136 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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