

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53109 of 2018

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

Binod Kumar Chaupal, Son of Lala Chaupal @ Laloo Chaupal, resident of
Village- Narain Dohat, Police Station- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto

For the Opposite Party/s : Mr. Satya Nand Shukla

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

ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302/201/34 of the Indian Penal Code and Sections
25(1-b)a/26/35 of the Arms Act.

Sunil Kumar Mandal 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 Sunil Kumar
Mandal namely Jibendra Kumar Singh @ Azad Singh at the
instance of the said accused. Petitioner is said to have driven the
deceased in his car.

It is submitted by learned counsel for the
petitioner that petitioner has no concern with the aforesaid



occurrence. He has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. He is not named in the F.I.R. There is no eye witness of the occurrence. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of the co-accused Sunil Kumar Mandal which has no evidentiary value in the eye of law. He has been languishing in custody since 09.03.2018. Said Sunil Kumar Mandal has been enlarged on bail by this court in Cr. Misc. No. 49150 of 2018 vide order dated 20.09.2018 and Abhisekh Singh and Jibendra Kumar Singh have been enlarged on bail by different co-ordinate Benches of this Court.

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

(Prakash Chandra Jaiswal, J)

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