

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3549 of 2019

Arising Out of PS. Case No.-333 Year-2018 Thana- BIHPUR District- Bhagalpur

1. Dhruv Mandal, S/O Late Md. Hari Lal Mandal
2. Manju Devi @ Nitu Devi, W/O Dhruv Mandal, Both are resident of village - Shahpur, P.S. - Bihpur (Bhawanipur), Distt. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6222 of 2019

Arising Out of PS. Case No.-333 Year-2018 Thana- BIHPUR District- Bhagalpur

GOUTAM MANDAL @ GOTAM KUMAR MANDAL, Son of Late Hari Lal Mandal, Resident of Village - Shahpur, P. S. - Bihpur (Bhawanipur), District Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3549 of 2019)

For the Petitioner/s : Mr. Rabindra Nath Tiwari

For the Opposite Party/s : Mr. Dinesh Singh

(In CRIMINAL MISCELLANEOUS No. 6222 of 2019)

For the Petitioner/s : Mr. Anant Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 19-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302 and 328/34 of the Indian Penal Code.

Parents of the informant, who is petitioner in Cr. Misc. No. 6222 of 2019, died in unnatural circumstances. The matter was suspected case of poisoning. After postmortem examination on both the dead bodies the informant alleges that



due to land dispute, the petitioners of Cr. Misc. No. 3549 of 2019, who are full-brother of the informant and wife of the full-brother, administered poison to the parents. The viscera report would reveal that a case of poisoning was found.

Learned counsel for the petitioners in Cr. Misc. No. 3549 of 2019, submits that during investigation, the daughters of the deceased stated that the petitioners were separate from the deceased since last 10 years and they had no concern with the deceased, rather some witnesses stated that, in fact, the informant had committed murder by poisoning them as the informant was always demanding money to fulfill his greed. The informant had taken money from several persons on the pretext of managing job for them and he was not refunding money to them. After investigation, the police has submitted final form against the petitioners and has sent up the informant for trial.

Learned counsel for the petitioner Goutam Mandal submits that there is no direct evidence against the petitioner and he has been falsely implicated at the instance of his brother due to land dispute. Investigation of the case is complete.

Considering the fact that there is no direct and substantial material against the petitioners, let the petitioners,



above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bihpur (Bhawanipur) Police Station Case No. 333 of 2018, subject to the condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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