

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17146 of 2019**

Arising Out of PS. Case No.-188 Year-2018 Thana- SHAHKUND District- Bhagalpur

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LAKSHMAN MANDAL @ LAXMAN MANDAL @ MIKKU @ LAXMAN
KUMAR Son of Late Upendra Mandal Resident of Village - Rajanpur, P.S.-
Sajour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv.
	:	Mr.Pravin Kumar Sinha
For the Opposite Party/s	:	Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 22-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Shahkund (Sajour) P.S. Case No. 188 of 2018 for the offence
under Sections 365/34 of the Indian Penal Code and Section
302/201 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. As per the F.I.R.
the petitioner has called the deceased from his house
whereas the fact that both of them are having litigating
terms has also been admitted, therefore, company of



deceased with the petitioner appears to be unnatural. This fact has also been proved as only suspicion has been raised against the petitioner in the F.I.R. Later on two witnesses have stated that the deceased has been kidnapped by all the accused and thereafter on the basis of confession of the accused, recovery of mobile is shown and it is also said that the petitioner used to talk on mobile during occurrence but no evidence of CDR is recorded in the case diary and only the statement of investigation officer and the statement of the accused is available in the case diary. The petitioner has been languishing in judicial custody since 04.09.2018.

Considering the facts and circumstances of the case, let the, above named, petitioner be released 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 S.D.J.M, Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 188 of 2018/ G.R. No. 4643 of 2018.

(Arvind Srivastava, J)

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