

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33761 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- AMARPUR District- Banka

SURESH MANDAL @ SURESH PRASAD SINGH aged about 66 years, son
of Bhnni @ Bhagwan Mandal @ Bhagwan Pd. Singh , village Basudeopur,
Police Station Amarpur, Banka ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. NK Agrawal, Sr. Advocate and
Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party : Mr. Ahmad Ali, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner, the State as
well as perused the case diary.

Petitioner is an accused in a case registered for the
offence under sections 328, 302, 304 and 306 of the Indian
Penal Code.

It is alleged by the informant that his son purchased
biscuit from petitioner's shop, thereafter on the allegation of
theft marpit took place between his son and the petitioner. It is
further alleged that the next morning informant's son started
vomiting and died during treatment in the hospital in the noon.
Informant suspected the hand of the petitioner in giving poison
to his son.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case only on suspicion,
there is no eye witness to the occurrence and victim's father had



also slapped the victim for the theft committed by him. It is further submitted that the police after investigation submitted charge sheet for the offence under sections 304, 306 of the IPC. Petitioner has got no criminal antecedent and is in custody since 11.2.2019.

Considering the facts of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Banka in Amarpur Police Station Case No. 63 of 2019, subject to the condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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