

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72482 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- CHAUSA District- Madhepura

1. Mahendra Mandal, S/o Jagdish Mandal.
2. Ramdeo Mandal, S/o Late Kutai Mandal.
3. Kundan Kumar, S/o Ramdeo Mandal. Both Resident of Village-Dhuria Tilharahi, P.S. Chousa, District-Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Rajeev Kumar, Advocate.
For the State	:	Mr. Uday Chand Prasad, A.P.P.
For the Informant	:	Mr. Dr. Sanjay Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 11-04-2019 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The petitioners are languishing in custody since 14.05.2018 in a case for the offence registered under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the co-accused Deepak Kumar had love affairs with the sister of the informant, namely, Kavita Kumari (deceased) for the last one year and the family members of Deepak Kumar did not like that and Deepak Kumar was also refused to marry with her recently when the victim told to marry with her, as a result, co-accused Deepak Kumar took the deceased Kavita Kumari with him from



the house of informant on 12.05.2018 at about 7.00 P.M. in the evening, and subsequently, dead body of Kavita Kumari was found on 13.05.2018 at 6.00 A.M. The deceased Kavita Kumari was assaulted brutally and pressed her neck to death at 7.00 P.M. on 12.05.2018 allegedly by Deepak Kumar, Suman Kumar, petitioners Mahendra Mandal, Renu Devi, Ramdeo Mandal, Kundan Kumar, Shila Devi, co-accused Japani Mandal, and thereafter, the dead body hanged on a tree by tying with her Scarf (Dupatta) only with a view to save their skin from actually. The murder of the deceased Kavita Kumari was done by all F.I.R. named accused persons under deep rooted conspiracy.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the involvement of the petitioners in the present case.



On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Uda Kishunganj, Madhepura, in connection with Chousa P.S. Case No. 109 of 2018.

(Sudhir Singh, J)

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