

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45179 of 2019

Arising Out of P.S. Case No.-2 Year-2019 Thana- DHARHARA District- Munger

Arbind Kumar Mandal @ Ravi Mandal @ Ravi Kumar Mandal @ Bishuwa
@ Bishwa, Male, aged about 25 years, Son of Binodi Mandal Resident of
Village - Itwa, P.O.- Itwa, P.S.- Dharhara, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Durga Nand Jha, Advocate
For the Opposite Party : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with
Dharhara P.S.Case No.02 of 2019 registered for an offence
under Sections 302, 201 and 120(B) of the Indian Penal Code.

Allegation as per written report is that the son of the
informant was assaulted by this petitioner and other accused
persons and thereafter petitioner threw his son in the well,
leaving behind his motorcycle and fled away, thereafter
informant and villagers reached there, the petitioner and other
accused persons were trying to lift the dead body from the well
in order to dispose of the dead body.

It is submitted on behalf of the petitioner that the



petitioner has falsely been implicated in this case merely on suspicion. It is further submitted that the informant is not an eye witness to the alleged occurrence. It is also submitted that not a single witness has come forward to support the allegation against this petitioner. It is further submitted that the deceased died due to asphyxia. He further submits that similarly situated co-accused has already been granted regular bail by a coordinate Bench of this Court in Cr.Misc.No.26186 of 2019 dated 21.05.2019 and also one co-accused has already been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.34012 of 2019 vide order dated 02.08.2019. Petitioner is in custody since 10.01.2019 and chargesheet has already been submitted.

In view of the aforesaid facts, 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 Sri Biswajit Kumar, Judicial Magistrate, Ist Class, Munger in connection with Dharhara P.S.Case No.02 of 2019 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and



his absence on two consecutive dates without sufficient reason,
his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the
witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

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