

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45417 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

=====

Pramod Mandal @ Bugali Mandal @ Goasi Mandal, Son of Late Babulal Mandal Resident of Village-Hemara, P.S.-Jagdishpur, Goradih, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manohar Pd. Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jagdishpur (Goradih) P.S. Case no. 376 of 2018, registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that in the evening of 24.07.2018, Karamvir, son of the informant, had gone to filed where his father Bipin Mandal @ Bangtu Mandal was irrigating the filed. On next morning, when informant reached at the field then found husband Bipin Mandal and son Karamvir lying dead on the cot sustaining firearm injury. The informant raised suspicion about killing of her husband and son by unknown miscreants by firearm.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner is not named in the F.I.R. as on the basis of fardbeyan of informant Sunita Devi, Jagdishpur (Goradih) P.S. Case No. 376 of 2018, under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act against unknown regarding murder of Bipin Mandal and Karamvir, husband and son of informant. In course of investigation, on 29.08.2018, after one month, the informant filed protest petition disclosing the name of petitioner along with Bhojal Tanti, Khatto Tanti and Pankaj Mandal having hand in the murder of her husband and son due to previous dispute, while she had not stated the name of petitioner and others in her re-statement, as detailed in paragraph 08 of the case diary, while later on, in paragraph Nos. 28,29 and 31, witnesses Dayanand Yadav, Tripurari Mandal, Pitambar Mandal and Arvind Kumar Singh have disclosed the name of Bhojal Tanti, Khatto Tanti and Pankaj Mandal having hand in the murder of husband and son of the informant. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from today, 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, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 376 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

