

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56225 of 2019

Arising Out of PS. Case No.-176 Year-2017 Thana- BIHARIGANJ District- Madhepura

MANISH MANDAL @ MANISH KUMAR MANDAL S/o Late
Raghunandan Mandal Resident of Village- Kapsiya, P.S.- Alamnagar
(Ratwara), District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code.

The prosecution case in short is that the accused
persons fired at the husband of the informant, while he was
returning, causing his death.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 11.2.2019. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case.
The petitioner is not named in the F.I.R. The name of the
petitioner has transpired on the basis of secret informant as well



as confessional statement of co-accused. Except for this, there is no substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 176/2017.

(Sudhir Singh, J)

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