

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72323 of 2019

Arising Out of PS. Case No.-528 Year-2018 Thana- AMARPUR District- Banka

1. Mukesh Mandal S/o Fakir Mandal Resident of Village- Vidu Visanpur, P.S.- Amarpur, District- Banka.
2. Chulahai Mandal Son of Late Singheshwar Mandal Resident of Village- Vidu Visanpur, P.S.- Amarpur, District- Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Praveen Kumar, Advocate
For the Opposite Party : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek bail in connection with
Amarpur P.S. Case No.528 of 2018 registered under Section
302 of the Indian Penal Code.

Learned counsel for the petitioners submitted that
the petitioners are not named in the FIR. The deceased was a
mentally challenged person. He died in other than natural
circumstance and the case was registered against unknown.
Even in course of investigation, no material has come against
the petitioners. However, only on the basis of suspicion, the
police have arrested them. Referring to the order impugned, he
submitted that while rejecting the bail application, the learned



Additional Sessions Judge-1st, Banka has simply said that the occurrence has been supported by witnesses. He contended that there is no denial to the death of the deceased and only because the death of the deceased was in other than natural circumstance, the petitioners, who have no criminal antecedent, are languishing in custody since 28.07.2019.

Learned counsel for the State has opposed the application for grant of bail to the petitioners. He submitted that in course of investigation, the name of the petitioners transpired on the basis of suspicion raised by the informant and others.

Be that as it may, regard being had to the facts and circumstances of the case, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No.528 of 2018.

(Ashwani Kumar Singh, J)

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