

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31330 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Bittu Mandal, aged about 24 years, male, Son of Sita Ram Mandal, Resident
of Village - Barohiya, P.S. - Buddhuchak, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-12-2020 Heard Mr. Ranjan Kumar Jha, learned counsel for

the petitioner and Mr. Ajay Kumar No. 2, learned APP for

the State.

The petitioner seeks bail in connection with

Nathnagar P.S. Case No. 163 of 2019, dated 30.03.2019,

instituted for the offences under Sections 302, 120(b), 201

and 34 of the Indian Penal Code and Section 27 of the Arms

Act.



The prosecution version in the long-drawn F.I.R. is that the informant and his two brothers were made accused in a criminal case in which all three were in jail. When two of the brothers including the informant came out of jail, one of the brothers developed illicit relationship with one Nirmala Devi, whose husband has recently died. Later, aforesaid Nirmala Devi informed the informant that his other brother has been killed. The brothers of aforesaid Nirmala Devi were suspected to have killed the deceased for reasons which are not explicable from the reading of the F.I.R. The name of the petitioner has not been taken in the F.I.R., but he has been alluded to by saying that he is also one of the brothers of aforesaid Nirmala Kumari. One Ritesh Kumar, brother of aforesaid Nirmala Kumari, has been named in the First Information Report.

Learned counsel for the petitioner has submitted that there is no eye-witness to the occurrence and only because the petitioner is the maternal brother of aforesaid Nirmala Devi, having no connection with her in the day-to-day life, has been made accused in this case.



Regard being had to the absolutely suspicious nature of accusation against the petitioner and his period of custody and also taking into account the fact that the petitioner is a person of clean antecedent, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-IV, Bhagalpur in connection with Nathnagar P.S. Case No. 163 of 2019.

(Ashutosh Kumar, J)

Praveen-II/-

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