

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66851 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- KURSAILA District- Katihar

1. Manik Lal Mandal, Son of Late Jitan Mandal, Resident of - Maliniya, Mirjapur, P.S.- Kursela, District- Katihar
2. Mukesh Mandal, Son of Manik Lal Mandal, Resident of - Maliniya, Mirjapur, P.S.- Kursela, District- Katihar
3. Mithilesh Kumar, Son of Manik Lal Mandal Resident of - Maliniya, Mirjapur, P.S.- Kursela, District- Katihar
4. Raja Kumar, Son of Manik Lal Mandal, Resident of - Maliniya, Mirjapur, P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-01-2020 This is an application for grant of anticipatory bail in connection with Kursela P. S. Case No. 49 of 2019 disclosing offences under Sections 302/34 of IPC.

As per F.I.R., the son of the informant had gone to attend the call of nature, but he did not return and on the next day, his dead body was found nearby the railway track. Petitioner has been made accused as they have threatened earlier.

Submission of the learned counsel for the petitioners is that except suspicion there is no other circumstances against the petitioners either of last seen or seen around the place of



occurrence.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail of the petitioners on the ground that day before the occurrence, they have threatened the deceased and thereafter, next day, the dead body of the deceased was found.

Having heard both sides, considering the above submissions, made above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Katihar, in connection with Kursela P. S. Case No. 49 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to co-operate in the investigation.

It is also made clear that during the investigation if any serious incriminating circumstances except the enmity against the petitioners are found, the prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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