

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76203 of 2019**

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

BIJAY MANDAL @ BINAY MANDAL S/O Gaivi Mandal Resident of
Village - Bidu Bisanpur, P.S. - Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 27-05-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

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

The accusation is that at about 7.00 A.M. on
08.10.2018 informant Aruna Devi came to know that the dead
body of her brother in law Vishwanath Mandal is lying inside
the road in village-Bidu Bishnupur. Thereafter, she along with
others went there and saw the dead body of her Devar
Vishwanath Mandal, who was mad and he used to move hither
and thither and before 15 years, wife of her brother-in-law
Vishwanath Mandal left the house and he has also sold his
house and land of his share. The informant raised suspicion
having hand of unknown in killing of her brother-in-law
Vishwanath Mandal.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that on the basis of written statement of informant Aruna Devi, Amarpur P.S. Case No. 528 of 2018, under Section 302 of the Indian Penal Code against unknown was instituted in which she showed hand of unknown in the murder of her brother in law Vishwanath Mandal, but in her re-statement mere on suspicion due to purchasing of land of the deceased by the petitioner, she implicated the petitioner and three others, namely, Mukesh Mandal, Bablu Mandal and Chulahi Mandal.

On perusal of the case diary, it appears that none has seen the occurrence and cause of death is asphyxia due to hanging. The petitioner is in custody since 28.07.2019 and on investigation, the Police has already submitted Chargesheet.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 528 of 2018.

(Rajendra Kumar Mishra, J)

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