

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17360 of 2021**

Arising Out of PS. Case No.-22 Year-2020 Thana- ALAMNAGAR District- Madhepura

PAWAN MANDAL son of Rajo Mandal resident of village- Shankarpur
madhali Diyara Ward no 11 P.S- Alamnagar, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 19-07-2021 Heard learned counsel for the petitioner and the State.

This application for bail arises out of Alamnagar P.S.
Case No. 22 of 2020 for the offence punishable under Sections
302, 201 and 120B of the Indian Penal Code.

As per the prosecution case, the informant is the brother
of the deceased. It is alleged that the deceased had gone to drop
a close relative of co-accused Pinku Mandal to her matrimonial
home. He thereafter did not return and his dead body was
subsequently found lying at a place near the house of Nemo
Mandal. Informant suspects that his brother has been killed by
the accused persons including the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only on suspicion. There is no direct evidence against the



petitioner. Petitioner claims clean antecedent and he is in custody since 29.9.2020. Several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide order mentioned in paragraph 8 of the bail petition.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that there is no direct evidence against the petitioner and several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Udakishunganj, Madhepura in Aalam nagar Police Station Case No. 22 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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