

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32897 of 2021**

Arising Out of PS. Case No.-851 Year-2019 Thana- KAHALGAON District- Bhagalpur

RISHI MANDAL SON OF BHOLA MANDAL RESIDENT OF VILLAGE-
PAKKISARAI, P.S.- GHOGHA, DISTT.- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh- Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-11-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with S.T.
No.190 of 20/ 131 of 2021 arising out of Kahalgaon (Ghogha) P.
S. Case No.851 of 2019, instituted for the offences under
Sections 302, 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 02.10.2020 and he is a person with
clean antecedent, charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that his daughter Bandana
Kumar was married with Kishan Mandal in the Year 2017. Since
last 8-10 months, Kishan Mandal was torturing her alleging that



she was leading an adulterous life. The deceased used to inform the informant about the threat being given by Kishan Mandal. On 04.12.2019, the son-in-law of the informant informed him about the missing of deceased since 29.11.2019. Accordingly, informant went to the matrimonial home of his daughter and came to know that his daughter has been killed and buried near Todka river from where the dead body was recovered.

The learned counsel for the petitioner submits that petitioner has absolutely no concern with the family member of Kishan Mandal and his name has come on the confessional statement of Kishan Mandal, who himself has made his confessional statement before the police under a duress.

The learned counsel for the petitioner further submits that from the F.I.R. itself, it would manifest that the informant alleges that he was informed about the death of his daughter on 04.12.2019 itself, but the F.I.R. came to be instituted on 12.12.2019 i.e. after a delay of eight days without any explanation.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody and has no relation with Kishan Mandal and is a person with



clean antecedent, charge-sheet has been submitted and F.I.R. came to be instituted after a delay of eight days, the petitioner, above-named, 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 A.D.J.-X, Bhagalpur in connection with S.T. No.190 of 20/ 131 of 2021 arising out of Kahalgaon (Ghogha) P. S. Case No.851 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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