

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25533 of 2020

Arising Out of PS. Case No.-504 Year-2017 Thana- KAHALGAON District- Bhagalpur

CHHOTELAL MAHALDAR Son of Antlal Mahaldar Resident of Village -
Ekchari, P.S.-Kahalgaon (Rasulpur), District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr.A.M.P. Mehta, A.P.P.

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

ORAL ORDER

3 12-01-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kahalgaon (Rasulpur) P.S. Case no. 504 of 2017,
registered under Section 302/34 of the Indian Penal Code.

The accusation is that Balmukund Mandal,
husband of informant Punam Devi, was accompanied by
Chhotelal Mahaldar (Petitioner), member of Panchayat Samiti,
and Mithun Mahaldar for doing work at Middle School, but
husband of informant did not return house till evening. In
course of search, Mithun Mahaldar informed to Balram
Mandal, brother in law of informant, that her husband
Balmukund Mandal has been beaten by snake, who become
unconscious and died in course of carrying for treatment at



hospital. In course of search, informant came to know that Chhotelal Mahaldar, Mithun Mahaldar, Sitaram Mandal, Mathoo @ Manmohan Mandal, Surya Narayan Mandal, Raju Mandal and Khushilal Pandit, forcibly, served liquor due to which her husband died.

Learned counsel for the petitioner submits that, in fact, Balmukund Mandal, husband of informant, was a habitual drunker and he died due to consuming of poisonous liquor, but petitioner and others have falsely been implicated in this case due to dirty village politics. Further submission is that in Postmortem report no any external injury was found on the person of deceased. Further submission is that while in F.S.L report of viscera of deceased shows that cause of death of deceased has been detected as endosulfan, which is poisonous substance.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Bhagalpur (Rasalpur)



P.S. Case No. 504 of 2017, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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