

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32370 of 2020

Arising Out of PS. Case No.-175 Year-2018 Thana- RUPAULI District- Purnia

MURARI MANDAL, aged about 32 years, Male, S/o Shree Bhuto Mandal,
R/o village- Balia Kadua Basa, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-01-2021 Heard Mr. Ajit Kumar Singh, learned counsel for the
petitioner, Murari Mandal and Mr. B.N. Pandey, learned
Additional P.P.

Petitioner seeks bail in Rupauli P.S. Case No.175 of
2018, registered under Section 302 of the Indian Penal Code.

The informant, widow of the deceased, alleged in her
statement that on 14.10.2018 at about 04.00 in the morning, the
informant and her husband, Laleshwar Mandal went to her farm
house and after feeding animals, she returned to her house. Her
husband remained there. At about 07.00, the informant got
information that her husband was lying dead in the cattle shade.
The informant went there and saw the dead body of her
husband. There was a cut mark on his head and blood was
oozing. The informant further suspected that Murari Mandal, the



petitioner, used to purchase cattle from her husband and there was some dispute with regard to payment of money. On such, the informant suspected that Murari Mandal might have killed her husband.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence. The informant named the petitioner on the basis of suspicion. During the course of investigation, none of the witnesses came forward and made statement as eye witness of the occurrence. The Dy.S.P. in his supervision note stated that the cousin of the deceased was also having land dispute with the deceased and three persons including the petitioner might have killed the deceased on account of previous enmity, therefore, except suspicion, there is no tangible evidence against the petitioner. Jawahar Mandal whose name surfaced during the course of investigation has already been granted bail vide order dated 20.11.2019, passed in Cr. Misc. No.51443 of 2019.

The learned Additional P.P. did not dispute the facts.

Taking into consideration the facts that the name of the petitioner surfaced in the FIR itself on mere suspicion raised by the widow of the deceased that since the petitioner had some dispute with regard to payment of money and sometimes there



was some hot exchange of words between the petitioner and the deceased, therefore, the petitioner might have killed her husband and except this suspicion no further tangible material is collected during the course of investigation, petitioner, namely, Murari Mandal is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Purnea in connection with Rupauli P.S. Case No.175 of 2018.

(Prabhat Kumar Jha, J)

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