

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34447 of 2020

Arising Out of PS. Case No.-166 Year-2020 Thana- KAHALGAON District- Bhagalpur

RAJENDRA MANDAL Son of Late Sukhdeo Mandal Resident of Village -
Udayrampur, P.S. - Ghogha, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-02-2021 Heard both sides.

The petitioner seeks bail in Kahalgaon(Ghogha) P.S.
Case No.166 of 2020 registered under Sections 363, 302, 201,
506 and 34 of the Indian Penal Code.

The informant, father of the deceased, alleged that on
09.03.2020, his son Pritam Mandal, aged about six years, went
to play in the middle school but he did not return. The informant
and his family members made search but they could not trace
out the son of the informant. On 10.03.2020, while the
informant was going to inform the police about the occurrence,
the informant came to know that the dead body of his son was
lying in bamboo bush of Ajay Singh situated near the school.
The informant suspected that former Mukhiya Jai Prakash
Mandal, Diwakar Mandal, Vijay Mandal, Varun Mandal,



Rajendra Mandal(the petitioner) and others committed the murder of his son as they have threatened.

The learned counsel for the petitioner submits that save and except the suspicion, there is no material in the entire case diary. Learned Additional Sessions Judge has referred para 30 and 55 of the case diary but even from perusal of para 30 and 55 of the case diary, save and except the suspicion that petitioner was absconding immediately after the occurrence, there is no eye witness of the occurrence and nobody saw any person killing Pritam Mandal, the son of the informant.

Learned A.P.P. opposed the prayer for bail.

Perused the F.I.R. and the case diary. The informant on recovery of dead body of his son lodged the case and suspected that the petitioner and others might have killed his son on account of previous enmity. It has come during the course of investigation that Vinay Mandal(brother of the informant) injured Jai Prakash Mandal by firearm and there was enmity between the two families but from perusal of the case diary, it appears that save and except the suspicion, the investigating officer did not collect any tangible material to show the involvement of the petitioner in the murder of the son of the informant.



Taking into consideration the facts aforesaid, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon(Ghogha) P.S. Case No.166 of 2020.

(Prabhat Kumar Jha, J)

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