

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36337 of 2020**

Arising Out of PS. Case No.-162 Year-2019 Thana- HATHAURI District- Samastipur

RAM BHAJAN MANDAL SON OF RAM PHAL MANDAL RESIDENT
OF VILLAGE - BHANPUR, PANCHAYAT - DASAUT, P.S. - HATHAURI
(SHIVAJEE NAGAR O.P.), DISTRICT - SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Arun Kumar, Advocate

For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-01-2021 The petitioner earlier moved this Court for grant of anticipatory bail in Cr Misc No 84614 of 2019 along with co-accused Ram Bharosh Mandal @ Rambharosh Mandal but in view of his arrest during pendency of the anticipatory bail application, the same was dismissed under order dated 10.07.2020 passed by a coordinate Bench of this Court in the said proceedings. Co-accused, namely, Ram Bharosh Mandal @ Rambharosh Mandal was subsequently allowed privilege of anticipatory bail under order dated 26.08.2020.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Hathauri Police Station
(for brevity, PS) Case No 162 of 2019 dated 09.10.2019



instituted for the offence punishable under Sections 302, 201/34 of Indian Penal Code.

The informant alleges that his daughter was married with Mithilesh Mandal 18 years ago but his son-in-law used to pressurize his daughter for transferring the lands standing in the name of the informant, in his name. Before the occurrence, Mithilesh Mandal ousted his daughter from his house. One week prior to the occurrence, Mithilesh Mandal came to the house of the informant and took his daughter to his house. It is alleged that on 09.10.2019, the informant got information that his daughter was killed by his son-in-law and other in-laws.

Learned counsel for the petitioner submits that the sole petitioner is the brother-in-law (Jija) of the husband of deceased. The informant did not make any allegation against the petitioner. The marriage of the daughter of the informant was solemnized with Mithilesh Mandal and the allegation is made against Mithilesh Mandal that he was pressurizing his daughter to get the land standing in the name of her father transferred in his name.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on



his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Rosera in Hathauri PS Case No 132 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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