

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1132 of 2021

Arising Out of PS. Case No.-141 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

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MOHAN MANDAL SON OF KUSHESHWAR MANDAL RESIDENT OF
VILLAGE - LAXMIPUR, BARIYARPUR, P.S. - PIRI BAZAR, DISTRICT -
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-05-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing on behalf of the State

through video conferencing.

The petitioner seeks bail in Piri Bazar P.S. Case No.
141/2019 registered for the offences punishable under Sections
302/201/120(B)/34 of the Indian Penal Code.

As per the prosecution case, on 05.12.2019 at 07:00
p.m., the husband of the informant went outside to graze cattle,
but did not return. It is further alleged that after a lapse of seven
days, dead-body of her husband was found. She suspects that
some unknown person killed her husband.

It is submitted on behalf of the petitioner that
petitioner is not named in the F.I.R. He further submits that



though as per the prosecution case, husband of the informant went missing on 05.12.2019, but for the next seven days, she kept mum. It is only after recovery of dead-body, the present F.I.R. has been lodged against unknown. It is further submitted that save and except confessional statement of the petitioner, there is no other material, direct or indirect, to connect this petitioner with the alleged occurrence. Chargesheet has already been submitted in this case and the petitioner is in custody since 10.02.2020.

Considering the period of custody and the materials available on record, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M., Lakhisarai, in connection with Piri Bazar P.S. Case No. 141/2019, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.



(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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