

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2488 of 2021

Arising Out of PS. Case No.-392 Year-2019 Thana- FALKA District- Katihar

Vinod Mandal Son Of Jagdish Mandal Resident Of Village- Bhanha, P.S-
Falka, District- Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shiv Shankar Roy Son Of Late Vishnudeo Roy Resident Of Village-Chohar,
P.O-Chohar, P.S- Falka(Pothia). District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-05-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Falka P.S. Case No. 392 of 2019 (G.R. No. 4631 of 2019) registered for the offence punishable under Sections 302, 201, 341, 323, 324, 379 of the Indian Penal Code.

The allegation against the petitioner is of killing and



looting the wife of the informant. As per the prosecution story stated by the informant *Shiv Shankar Roy*, he has doubt on his son-in-law (*Damad*) in connection with this matter whose name is *Rajesh Mandal*, who left his daughter *Mina Devi* and married with another girl.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He is neither named in the F.I.R. nor was apprehended on the spot and the petitioner has been falsely implicated in this case due to village politics. No incriminating article has been recovered from his conscious physical possession, and there is no specific overt act against the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 22.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending in connection with Falka
P.S. Case No. 392 of 2019 (G.R. No. 4631 of 2019).

(Anjani Kumar Sharan, J)

GAURAV S./-

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