

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5110 of 2022

Arising Out of PS. Case No.-171 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Dheeraj Mandal @ Dheeraj Kumar Mandal Son Of Jailal Mandal @ Bhikhari
Mandal Resident Of Village- Kayastha Kabai, P.S.- Manigachhi, District-
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 19-12-2022 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Sadar
P.S Case No. 171 of 2020 corresponding to G.R. No. 1192
of 2020, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution story as emerges from the FIR is
that on 09.02.2020, Niro Devi went with Babita Kumari for
stitching cloth. After some time, Babita Devi returned but
Niro Devi did not. Later, on 10.02.2020, the dead body of
Niro Devi was found. It is alleged that the petitioner and his
family members had threatened the informant and his wife



that they would be abducted.

The Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that after investigation police has found that the alleged victim has committed suicide.

The petitioner has been languishing in jail since 24.09.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. CJM, Darbhanga in connection with Sadar P.S Case No. 171 of 2020 corresponding to G.R.



No. 1192 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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