

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8044 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- RAJAON District- Banka

BIKASH KUMAR @ VIKASH KUMAR SON OF SURESH MANDAL
Resident of Village - Lashkari, P.s.- Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10195 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- RAJAON District- Banka

SURESH MANDAL SON OF LATE NARSINGH MANDAL Resident of
Village - Lashkari, P.s.- Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8044 of 2022)

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Anand Kishore Choudhary

(In CRIMINAL MISCELLANEOUS No. 10195 of 2022)

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners are permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioners seek bail in a case registered for the



offences punishable under Sections 302, 201/34 of the I.P.C.

According to prosecution case, on the basis of fard-beyan given by one Anandi Mandal, alleging therein that on 17.05.2021, the informant was informed by his Samdhi that the daughter of the informant namely, Priti @ Priyanka Devi had been abducted. On that information, the informant on 18.05.2021 went the matrimonial house of his daughter but he got no knowledge about his daughter but on 19.05.2021, the informant got information that an unidentified dead-body was lying in Rajdad Bahiyar Kathrang. Thereafter, the informant reached at alleged place and identified the naked dead-body as his daughter. It is further claimed by the informant that the petitioners and three others committed murder the daughter of the informant by slitting her throat and stomach.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case only on the basis of suspicion. He further submits that petitioner no. 1 is the brother-in-law and petitioner no. 2 is the father-in-law of the deceased. He further submits that there is no eye witness of the alleged occurrence and nothing has come during investigation against these petitioners, and only on the basis of suspicion the name of the petitioners



falsely been implicated in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioner no. 1 is in custody since 04.06.2021 and petitioner no. 2 is in custody since 06.06.2021.

The learned Additional Public Prosecutor on the basis of case diary has vehemently opposed the prayer for bail of the petitioners, but fairly submits that nothing has come during investigation against these petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Rajoun P.S. Case No. 180 of 2021, subject to the following conditions:-

1. Petitioners 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 and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification

(Rajesh Kumar Verma, J)

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