

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11358 of 2022

Arising Out of PS. Case No.-612 Year-2019 Thana- KAHALGAON District- Bhagalpur

Panchu Mandal Son of Late Brijlal Mandal @ Balli Mandal Resident of
Village - Desari Mahespur, P.s.- Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case No. 612 of 2019 registered for the offence under Sections
302, 201, 34 and 120 B of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.07.2021.

The allegation against the petitioner is to commit murder
of son of the informant alongwith other co-accused persons by
pressing his neck due to previous enmities.

Learned counsel appearing on behalf of the petitioner
submitted that informant is not the eye witness of the occurrence and
implication is purely based upon suspicion, where nothing surfaced
during the course of investigation to connect this petitioner, *prima*



facie, with present set of occurrence. It is further submitted that the similarly situated co-accused person has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 33821 of 2020 vide order dated 22.12.2020. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except suspicion nothing surfaced to connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kahalgaon P.S. Case No. 612 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned IV. Additional District and Sessions Judge, Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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