

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14323 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- BASOPATTI District- Madhubani

MD CHHOTU MANSUR SON OF MD. JUMMAN MANSUR Resident of
Village - Janaki Nagar, P.s.- Basopatti, Distt.- Madhubani (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Bhushan

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in a case registered for
the offences punishable under Sections 302, 201 and 120B of
the Indian Penal Code.

As per allegation, the informant alleged that due to
previous dispute, petitioner and his relatives hatched up a
conspiracy and killed his son.

The main submissions advanced by Sri Ravi Bhushan,
the learned counsel appearing for the petitioner are that the
informant has only raised suspicion against the petitioner, there
is no evidence against the petitioner in the case diary and it has
also come to light during course of investigation that there was



no good relation between deceased and co-accused Mahaveer Jha as such present case is based on suspicion, the petitioner has been languishing in jail since 19.11.2021.

Sri Yogendra Kumar, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR as well as case diary. Case diary goes to show that there is no direct evidence against the petitioner and the informant has raised suspicion against the petitioner on the ground that two months ago from the alleged incident, a dispute had taken place between son of the informant and son and relatives of the petitioner owing to that petitioner and others used to threat the son of the informant. During course of investigation, it has also come to light that there was no good relation between deceased and one person namely, Mahaveer Jha on account of love affair between deceased and daughter of said Mahaveer Jha and the witnesses during course of investigation stated that Mahaveer Jha might be involved in the alleged murder. As such present case is based on suspicion which has been raised by the informant and other witnesses.

Considering these facts as well as custody period of the petitioner in the opinion of this court, a lenient approach can



be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani in Basopatti P.S Case No. 274 of 2021.

(Shailendra Singh, J)

s.hassan/-

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