

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26679 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- RAJAON District- Banka

SIKANDER MANDAL Son of Late Kishun Deo Mandal Resident of Village
- Gopalpur, P.S.- Nawada Bazar, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201, 120B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter-in-law of the informant who went for a walk towards her agricultural land was found dead in the paddy field of the accused Ashok Mandal.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The petitioner is not named in the F.I.R. His name transpired for the first time in the further statement of the informant recorded in course of investigation wherein he names the petitioner as also his brother as the assailant, however no just reason is given for not naming the petitioner in the F.I.R. It is further submitted by learned



counsel that the other material being relied on against the petitioner is his confessional statement. If the contents of the confessional statement is accepted for the sake of argument, the petitioner and his brother are stated to have forcefully drowned the daughter-in-law of the informant in water. However, the said allegations are not supported from the contents of the post-mortem report. The petitioner is in custody since 5.10.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, the contents of the post-mortem report and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Rajoun (Nawada Bazar) P.S. Case no.383 of 2020 (G.R. no.3072 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Banka.

(Partha Sarthy, J)

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