

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28526 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- FALKA District- Katihar

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1. J. DINESH MANDAL @ DINESH MANDAL Son of Late Shri Mandal Resident of Village - Diara Chandpur, P.S. Falka, District - Katihar.
 2. KHUSHBOO DEVI Wife of Mithun Mandal Resident of Village - Diara Chandpur, P.S. Falka, District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 302 and 120(B) of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons might have killed the son of informant as the petitioner no. 2 and deceased was in love affairs.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that the petitioner no. 2 had love affairs with the deceased. The body of the deceased was found hanging on a tree. The informant has raised suspicion against the petitioner for committing murder of the deceased. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in this case. Regarding the death of the deceased, a U.D. case was instituted by the father of the deceased. There was no allegation made by the father of the deceased in respect of the petitioners or any other accused persons. The present case has been instituted after 12 days of the institution of the U.D. case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st



Katihar in connection with Falka (Pothiya) P.S. Case No.
33/2020, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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