

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24411 of 2022

Arising Out of PS. Case No.-207 Year-2020 Thana- RANIGANJ District- Araria

Subodh Mandal Son of Mithar Mandal Resident of village - Kala Balua, Ward No.- 9, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 18-10-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Ranjiganj P.S. Case No. 207 of 2020 (G.R. No. 1460/2020) lodged under Sections 302, 201, 120(B), 379/34 of the I.P.C.

As per the prosecution case, the informant is the youngest one among the 4 brothers. He has narrated that his elder brother used to involve in money landing business. The accused persons called his elder brother to come with money, and he went with Rs. 80,000/- to meet the accused persons. When he did not return upto 4 pm, then all family members of the deceased started looking for him. It has been categorically

mentioned in the F.I.R. that the petitioner was seen with the brother of the informant at about 12 noon by many persons. And on the same night at about 9 pm, the dead body of the informant's brother was recovered near the *makai* filed, which was of Chunni Lal Shah.

Learned counsel for the petitioner submits that upon seeing the dead body, it appears that the deceased was brutally assaulted prior to his death and mobile-set, gold chain, money and silver ornaments were also not with him. It has also been stated that near the dead body, the towel of Gurudeo Yadav was found.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 17.01.2022 having clean antecedent and charge sheet has already been filed in this case. He further submits that the name of the petitioner figured in this case, only on the basis of suspicion by the last seen person.

Learned counsel for the State opposes the prayer for bail and submits that in the case diary it has come as well as the witnesses have stated it, that the petitioner Subodh Mandal was seen at about 10 pm with the deceased and after that the dead

body of the deceased was found. Upon specific query that whether charge has been framed or not, learned counsel submits that he is unable to answer this question.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and prayer for bail of the petitioner is hereby rejected. But liberty is hereby granted to the petitioner that he may renew his prayer for bail, 9 months after framing of charge and upon move, the Trial Court shall release him on bail imposing conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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