

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27478 of 2022

Arising Out of PS. Case No.-247 Year-2021 Thana- BARARI District- Katihar

Shankar Mandal, S/o Rital Mandal R/o village- Mukhai Tola, Sakreli, P.S.-
Barari (Semapur), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with S.T. No.129 of 2022 arising out of Semapur P.S. Case
No.247 of 2021 instituted under Sections 302/34 of the Indian
Penal Code.

As per the prosecution story, it is alleged that the
victim boy was in a relationship with the petitioner's daughter
and the family had threatened them of dire consequences. On
15.10.2021, the informant got knowledge that her son is hanging
on a tree and as such she has made allegation against the
petitioner and others by lodging this FIR.



Learned counsel for the petitioner submits that the police investigated the matter and charge-sheet has been submitted under Sections 306 read with 34 of the I.P.C.

Taking into account the fact that there is no eyewitness to the said occurrence, the lady has made allegation on the basis of the alleged relationship between the petitioner's daughter and her son and the charge-sheet has been submitted under Section 306 of the I.P.C., this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with S.T. No.129 of 2022 arising out of Semapur P.S. Case No.247 of 2021 to the satisfaction of learned A.D.J.,Vth, Katihar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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