

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39992 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- BASANHI District- Saharsa

Guddu Kumar Mandal @ Guddu Kumar S/O Mahveer Mandal R/O Village-
Beragi Tola Singarpur, P.S.- Uda-Kishunganj, District- Madheprua

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Basnahi
P. S. Case No.48 of 2020, instituted for the offences under
Sections 302, 201, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
petitioner is in custody since 14.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted.

The learned counsel for the petitioner submits that the
informant alleges that her husband on 26.05.2020 had gone to
the field and did not return and later the informant came to
know that he has been killed.

The learned counsel for the petitioner submits that
F.I.R. is against unknown and in the F.I.R. not even a remote



suspicion has been raised against the petitioner. It is further submitted that during the course of investigation, it has come that the deceased had purchased five kattha of land from Shishir Jha which Suman Mandal wanted to purchase and Suman Mandal and his son Bhupesh Mandal had also threatened the deceased that as to why, he purchased the said land, as such, based on suspicion that Suman Mandal and Bhupesh Mandal had threatened, they came to be implicated.

The learned counsel for the petitioner further submits that as far as this petitioner is concerned, during the course of investigation, it came that he was a friend of Suman Mandal and used to stay with him and as such, it was suspected that he might have also participated in the occurrence. The learned counsel submits that Para-4 of the case diary records the statement of Anita Devi, Para-5 records the statement of Siyaram Mandal and Para-6 records the statement of Meera Devi and from their statement, it would manifest that apart from suspicion, nothing has been alleged. None of them are eye witness to the occurrence.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that petitioner is in custody, he is



a person with clean antecedent, charge-sheet has been submitted, is not named in the F.I.R. and he came to be implicated based on suspicion as there are no witnesses to the occurrence, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Saharsa in connection with Basnohi P. S. Case No.48 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

