

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44569 of 2021

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

=====

ASHOK MANDAL S/o KISHUNDEV MANDAL R/o VILLAGE-
GOPALPUR, P.S. RAJOUN (NAWADA O.P.), DISTRICT-BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-01-2022 Heard learned counsel for the parties through video conferencing.

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 dead body of the daughter-in-law of the informant was found in the paddy field of one Ashok Mandal (petitioner) and hence the F.I.R.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The petitioner has been falsely implicated in the case in course of investigation. There are no eye witness to the actual occurrence. Referring to the order of the learned court below, it is submitted that the learned trial court in the order rejecting the bail application of the petitioner has dealt with the material that has



transpired in course of investigation. It would transpire that there is no direct or indirect evidence against the petitioner nor has anyone seen the petitioner in the company of the deceased. The only material being relied on against the petitioner is his confessional statement made before police. The petitioner is in custody since 3.2.2021 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 which has been dealt with by the learned trial court in the order rejecting the bail application of the petitioner together with the petitioner being in custody for more than 11 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Rajoun (Nawada O.P.) P.S. Case no.383 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)

Saurabh/-

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

