

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51141 of 2021**

Arising Out of PS. Case No.-20 Year-2021 Thana- KASIMBAZAR District- Munger

KAPILDEO MANDAL @ KAPIL DEV MANDAL son of Dhano Mandal
Resident of village - Maksaspur Kali Asthan, P.S. - Kasim Bazar, District -
Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

- 3 07-03-2022 Heard learned counsel for the petitioner and the State.
- The petitioner seeks regular bail in registered for the
offences punishable under sections 302/34 of the Indian Penal
Code.
- As per the prosecution case, this petitioner and other
accused persons pulled out mother of the informant from her
house and brutally assaulted her causing her death on spot.
- Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to enmity. There is general and omnibus allegation of
assault against all the accused persons and no specific overt act
has been alleged against the petitioner. FIR has been lodged
after delay of 24 hours and there is no explanation of delay.



Informant is not the eye witness of the occurrence. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 15.1.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that the petitioner and other accused persons brutally assaulted the victim causing her death and the doctor has found as many as five injuries on the body of the deceased.

Considering the nature of accusation and materials available on the records against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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