

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48267 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- BHARGAMA District- Araria

SHANKAR MANDAL Son of Fekan Mandal Resident of Village - Naya Bhargama, P.s.- Bhargama, Distt.- 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. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2022 Heard Mr. Gopal Kumar Jha, learned counsel for the petitioner and Mr. Akbar Ali, learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Bhargama PS Case No. 129/2021 registered for the offence punishable under Sections 341, 323, 328, 302, 201, 504, 506/34 of the IPC.

As per prosecution story, the daughter of the informant was married to the co-accused, Dhiren Mandal @ Didir Mandal. It has been alleged that the daughter of the informant was killed by the co-accused, Dhiren Mandal @ Didir Mandal by administering poisonous substance. The allegation against the petitioner is that when the informant reached near the cremation ground, the accused persons including the present



petitioner assaulted and threatened the informant of dire consequences.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of concocted story. He further submits that from perusal of the FIR, it is evident that the allegation of killing the daughter of the informant is upon her husband i.e., co-accused, Dhiren Mandal @ Didir Mandal. The allegation against the petitioner is that he along with other accused persons threatened the informant of dire consequences and assaulted him. This allegation is general and omnibus in nature. He next submits that the petitioner is in custody since 28.05.2022 having no criminal antecedent and the charge-sheet has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that there is no direct allegation against the petitioner of killing the daughter of the informant and the allegation against him is general and omnibus in nature, petitioner is in custody since 28.05.2022 having no criminal antecedent and the charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria/the court concerned in connection with Bhargama PS Case No. 129/2021.

(Anil Kumar Sinha, J)

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