

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59595 of 2021

Arising Out of PS. Case No.-207 Year-2021 Thana- NARPATGANJ District- Araria

1. RAMESH MANDAL @ RAMESH MANAL S/o TENA MANDAL R/o VILLAGE-DUMARIYA, WARD No.7, P.S-NARPATGANJ, DISTRICT-ARARIA.
2. KRISHNA MANDAL S/o RAMESH MANDAL @ RAMESH MANAL R/o VILLAGE-DUMARIYA, WARD No.7, P.S-NARPATGANJ, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioners and Mr. Dilip Kumar No. 1, learned A.P.P. for the State.

The petitioners seek bail in connection with Narpatganj P.S. Case No. 207 of 2021 instituted for the offences under Sections 302, 201 and 120B, and 379 and of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 04.08.2021 are persons with clean antecedent, charge-sheet has been submitted in the case and the informant alleges that his son left the house for attending a marriage on 05.05.2021 at 6 p.m. but did not return late night and on 06.05.2021 his dead body was recovered. It is



further alleged that his neighbour Kalanand Das, Ramesh Mandal (petitioner no.1) and Krishna Mandal (petitioner no. 2) were having enmity with the deceased and they used to threaten that they will kill him. It is further alleged that the deceased was having friendship with one Ganesh Yadav, who did not come to the house after disappearance of the deceased, further a call was also received where in the caller had disclosed that the deceased used to talk his wife regularly and as such, the consequences would follow, accordingly, it is alleged that the named accused persons killed his son.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case and accused, Kalanand Das his own brother of the informant but this relationship has been concealed in the First Information Report as the informant alleges that Kalanand Das was his neighbour. It is further submitted that Kalanand Das had lodged Narpatganj P.S. Case No. 496 of 2020 against the informant and his family members and since the petitioners were known to Kalanand Das, as such, they have been falsely implicated based on suspicion, when informant is not a eye witness to the occurrence. It is further submitted that during the course of investigation, it has also come that the deceased was having



illicit relationship with the wife of the Ganesh Yadav and may be on account of said dispute the deceased might have been killed

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioners are in custody since 04.08.2021, are persons with clean antecedent and charge-sheet has been submitted in the case and the allegation is based on suspicion and the informant is not an eye witness to the occurrence and taking into consideration the submissions made by the learned counsel for the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 207 of 2021.

(Satyavrat Verma, J)

Jagdish/-

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

