

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1126 of 2022

Arising Out of PS. Case No.-564 Year-2021 Thana- KAHALGAON District- Bhagalpur

JANARDHAN MANDAL Son of Late Karu Mandal Resident of Village-
Athgama, Bramhchari Tola, P.S.- Kahalgaon and District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kahalgaon (Ghogha) P.S. Case no. 564 of 2021 instituted for the offence under Sections 302/34 of the Indian Penal Code.

Prosecution case relates to commission of murder to the brother of the informant. She has further alleged that her father (petitioner) was having illicit relationship with her sister-in-law to which deceased used to oppose time to time and ultimately both have killed him.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no direct material against the petitioner. From



perusal of the postmortem report, annexed to the case diary, it reveals that cause of death was natural due to disease of lungs. In para 14 of the case dairy, daughter of the deceased has clearly asserted that petitioner has no complicity in commission of murder of her father. He died natural death due to ailment.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kahalgaon (Ghogha) P.S. Case no. 564 of 2021, he will be enlarged 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 3rd Additional Session Judge-cum-Spl.Judge (SC/ST) Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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