

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36091 of 2023

Arising Out of PS. Case No.-98 Year-2021 Thana- PIPRA District- Supaul

HIMANSHU KUMAR @ BIRENDRA MANDAL Son of Panchdeo Mandal
Resident of village - Gordhay, P.S. - Tribeniganj, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2023 Heard Mr. Arun Kumar Jha, learned counsel for the
petitioner and Mr. Binod Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Pipra PS Case No. 98/2021 dated 02.04.2021 registered for the
offence punishable under Sections 302, 201 of the IPC.

3. As per prosecution story, three persons were
murdered and the informant who is son of one of the deceased
persons saw the photograph of three dead bodies on whatsapp
and one of the dead bodies was that of his father and when he
arrived at the hospital, he identified his father's dead body. The
relatives of other dead bodies were also there and on the basis of
statement made by the informant, the FIR was lodged against
unknown persons. The name of the petitioner got transpired
during course of investigation on the basis of confessional



statement of one co-accused, namely, Ramchandra Mandal.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of Ramchandra Mandal who has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 69676/2021 dated 28.09.2022. Other co-accused persons have also been granted bail by the Co-ordinate Benches of this Court in Cr. Misc. No. 61075/2021 *vide* order dated 09.05.2022 and in Cr. Misc. No. 53972/2022 *vide* order dated 18.03.2023 annexed as Annexure 2 Series. He further submits that the bail applications of three persons including the petitioner were rejected by order impugned passed by the learned 1st Additional Sessions Judge, Supaul *vide* Sessions Trial No. 476/2022 and one of them, namely, Raben Mandal @ Ravindra Mandal has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 35306/2023 *vide* order dated 24.06.2023. It is further submitted that the case of the petitioner is similarly situated as that of Raben Mandal who has been granted bail.

5. Regards being had to that fact, the submissions made by the parties and taking into consideration the fact that similarly situated co-accused persons have been granted bail by the Benches of this Court, petitioner is in custody since



18.07.2022 and he has got clean antecedent, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, above named, 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 1st Additional Sessions Judge, Supaul in connection with Sessions Trial No. 476/2022 arising out of Pipra PS Case No. 98/2021.

(Anil Kumar Sinha, J)

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