

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35093 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Manoj Mandal @ Manoj Vindh @ Manoj Kumar @ Vikash Kumar son of
Late Jaiprakash Vindh RESIDENT OF VILLAGE MAHAKOLA, PS-
HAVELI KHARAGPUR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Jagdishpur (Goradih)P.S. Case No. 312 of 2022 instituted for the offence under Sections 302, 120B, 201 of the Indian Penal Code but charge sheet has been submitted u/s 364, 302, 201, 34, 120B of the Indian Penal Code.

3. As per allegation in the FIR, the informant of this case is police official who lodged the FIR in respect of murder of one boy and a lady. It is alleged that when the informant was on patrolling duty, he saw a boy aged about 12 years and a lady aged about 45 years were lying dead. The informant further stated that both the deceased were brutally assaulted by



unknown miscreants due to which they died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner is not named in the FIR. He has falsely been implicated in this case on the basis of suspicion raised by the husband of the deceased lady. Other co-accused Amarjeet Kumar also confessed the complicity of the petitioner, but confession before police has got no evidentiary value in the eye of law. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 17.11.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that during course of investigation, the deceased persons were identified as wife and son of the one Niranjana Kumar. One co-accused Amarjeet Kumar was arrested during investigation who confessed his guilt as well as complicity of the petitioner in respect of commission of murder of the both deceased. According to para-111 of the case diary, witness Upendra Thakur also stated that the deceased were taken from premises of his house in unconscious condition thereafter, he came to know that they were murdered. CDR



report shows that the mobile phone which was being used by the petitioner Manoj Mandal, he had talked several times to the deceased Panchali Kumari. It is also submitted that other witnesses of the case vide para 161, 162, & 163 of the case diary have also supported the prosecution case and stated the connivance of the petitioner in the alleged offence.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

Manishkumar/-

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