

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35306 of 2023

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

Raben Mandal @ Ravindra Mandal S/O Rajeshwari Mandal R/O Vill-
Gordhay, P.S. Triveniganj and Dist. Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. Let the defect(s), if any, as pointed out by the
office be removed within four weeks.

03. In the present case, the petitioner seeks bail in
connection with S.T. o. 476 of 2022 arising out of Pipra P.S.
Case No. 98 of 2021 registered for the alleged offences under
Sections 302, 201 of the Indian Penal Code.

04. As per prosecution case, three persons were
murdered by unknown miscreants and son of one of the
deceased persons saw the pictures of their dead body on whats-
app and came to identify them. The name of the petitioner
transpired as one of the accused persons in this case during
investigation.



05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not involved in any manner in the case. The name of the petitioner came up on the basis of confessional statement of co-accused Tribhuvan Yadav. Except for the confessional statement, there is nothing against the petitioner. Even during investigation, nothing cogent came against the petitioner for his involvement in the alleged occurrence. The postmortem report does not show death was caused by assault and viscera has been preserved. Learned counsel further submits that the petitioner has been roped in this case on the basis of speculation, as the place of occurrence happens to be the field of which petitioner is a sharecropper or *bataidar*. The co-accused Tribhuvan Yadav, on whose confessional statement petitioner's name came up in this case, has been granted bail by a Coordinate Bench of this Court vide order dated 09.05.2022 passed in Cr. Misc. No.61075 of 2021. The other co-accused persons, namely, Ramchandra Mandal and Manish Kumar have been granted bail by this Court and a Co-ordinate Bench of this Court vide order dated 28.09.2022 passed in Criminal Misc. No. 69676 of 2021 and order date 18.03.2023 passed in Criminal Misc. No. 53972 of 2022. The petitioner is in custody since



18.07.2022 and the charge sheet has been submitted. The petitioner has got no criminal history.

06. Learned A.P.P. opposes the prayer for bail submitting that it is a case of triple murder and the petitioner was present with the deceased at the place of occurrence during relevant time along with his accomplice.

07. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that except for the confessional statement, no other substantive material has come up against the petitioner and further considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Supaul in S.T. Case No. 476 of 2022 arising out of Pipra P.S. Case No. 98 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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