

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40495 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- BASANHI District- Saharsa

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RUPESH MANDAL SON OF SONA MANDAL @ SUMAN MANDAL R/O
VILLAGE- LALIYA, WARD NO.-04, P.S.- GWALPARA, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-02-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offences punishable under Sections 302, 201 and 34 of
the Indian Penal.

Learned counsel for the petitioner submits that
petitioner is in custody since 04.03.2022 and has antecedent
of four cases and the informant alleges that her husband on
26.05.2020 had gone to the field and did not return and later
the informant came to know that he has been killed.

Learned counsel for the petitioner submits that FIR
is against unknown and in the FIR not even a remote
suspicion has been raised against the petitioner, it is further



submitted that during the course of investigation it has come that the deceased had purchased five kattha of land from Shishir Jha which Suman Mandal wanted to purchase and Suman Mandal and his son Bhupesh Mandal had also threatened the deceased saying that as to why, he purchased the said land. The learned counsel next submits that petitioner is also son of Suman Mandal and thus he has also been implicated in the present case.

Learned counsel relying on an order dated 03.02.2022 in Cr. Misc. No. 39992 of 2021 submits that Para-4 of the case diary records the statement of Anita Devi, Para-5 records the statement of Siyaram Mandal and Para-6 records the statement of the Meera Devi and from their statement also it would manifest that apart from suspicion nothing has been alleged, further none of them are eye-witness to the occurrence.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner has antecedent of four cases and, in the event, if bail is granted he might abscond.

Considering the submission made by the learned



APP for the State, the Court for the present is not inclined to release the petitioner on bail, however the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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