

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43912 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- BAHERI District- Darbhanga

RADHA KRISHNA MANDAL @RADHA KRISHNA SINGH Son of Laxmi
Mandal R/o Vill.- Kothra, P.S.- Hayaghat, Dist.- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, allegation against the petitioner along with other co-accused persons is to commit murder of the mother of the informant by means of using knife and *Gumti* (sharp cut weapon) due to previous enmities arises out of matrimonial discord of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dispute which



arose between the parties. The informant is not eye witness of the alleged occurrence and this case is based upon only circumstantial evidence. From perusal of FIR, no specific allegation attributed against the petitioner. No any consistent material has come against the petitioner. Learned counsel further submits that other co-accused namely, Bikash Kumar upon whom the similar allegation has been made, has already been granted bail by a co-ordinate Bench of this Court vide order dated 9.5.2023 passed in Cr. Misc. No. 2191 of 2023, and in support of this, Annexure-4 has been annexed with the petition. Moreover, the petitioner is languishing in judicial custody since 10.2.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Baheri P.S. Case No. 246 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-
7th, Darbhanga.

(Sunil Kumar Panwar, J)

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