

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48103 of 2023**

Arising Out of PS. Case No.-73 Year-2021 Thana- DHOLBAJJA District- Bhagalpur

1. GONU MANDAL @ DEEPAK KUMAR SON OF LATE KISHAN MANDAL R/O-LAKSHMINIYA KADWA, P.S.-DHOLBAJJA (KADWA), DISTT.-BHAGALPUR
2. SUDHIR MANDAL SON OF LATE KISHAN MANDAL R/O-LAKSHMINIYA KADWA, P.S.-DHOLBAJJA (KADWA), DISTT.-BHAGALPUR

... .. petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 12-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 302, 201 and 120B of the Indian Penal Code.

3. The allegation against the petitioners along with others is of killing the husband of the informant.

4. It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the statement of the informant recorded in vide para-4 of the case diary, goes to suggest that her husband committed suicide by hanging himself in the *Basa* due to quarrel between the brothers, which is fully contrary to the assertions made in the FIR. He further submitted that during investigation, several independent witnesses stated that the deceased was short tempered man and due to that he committed suicide by hanging himself in their *Basa*, which has come in vide paras- 18, 19 and 20 of the case diary, therefore the petitioners are not responsible for the death of the deceased. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 31.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Dholbajja P.S. Case No. 73 of 2021.

(Sunil Kumar Panwar, J)

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