

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64026 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- BANMANKHI District- Purnia

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Bechan Mandal S/O Late Badar Mandal R/O Village- Mahadeopur, P.S.-
Banmankhi, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Banmankhi P.S. Case No. 62 of 2021 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution, the informant's father was assaulted and killed by this petitioner with co-accused persons over a land dispute.

The main submissions advanced by learned counsel Mr. Ram Prawesh Kumar, appearing for the petitioner are that the



petitioner has fair and clean antecedent and as per the FIR only suspicion was raised against the petitioner on account of a land dispute running in between the petitioner and the deceased but except suspicion there is no any other material to connect the petitioner to the alleged crime of murder and he is 65 years old person and has been rotting in jail since 23.08.2022 and the informant is not stated to be the eye-witness of the alleged occurrence. Further submission is that one co-accused namely, Chano Mandal @ Chandeshwari Mandal who is also named in the FIR has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 60165 of 2021 and the case of this petitioner stands on similar footing with the said co-accused.

Learned APP Mr. Chandra Sen Prasad Singh, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above and mainly considering the fact that in the FIR merely suspicion was raised by the informant in respect of the involvement of petitioner in the alleged murder on account of a land dispute which was running in between this petitioner and the deceased when the alleged occurrence took place and also the fact that one named co-accused is on bail as mentioned-above, in my opinion it is a



fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Banmankhi P.S. Case No. 62 of 2021.

(Shailendra Singh, J.)

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