

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69589 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- ALAMNAGAR District- Madhepura

SAROJ KUMAR @ BANKE BIHARI S/o Bhuvneshwar Mandal R/o Village-
Raghopur ward no. 9, P.S.- Parbatta, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick, Adv.

For the Opposite Party/s : Mrs.Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 16-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Alamnagar P.S. Case No. 50 of 2022, registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and 27 Arms Act.

As per allegation, son of the informant had gone to attend a marriage party with his friend Sintu Kumar. Where he received a telephonic call, thereafter, he went away leaving his friend Sintu Kumar. When Sintu Kumar contacted him on his mobile phone some other person started abusing him. Thereafter, son of the informant became traceless and later on he came to know that Lusi Kumari, Renu Devi, Binod Mandal, Prakash Mandal, Anand Mandal, Gulshan Mandal and Ranjeet Mandal had



committed murder of his son and they had concealed his dead body. During investigation Lusi Kumari was arrested and she has stated in her confessional statement that the deceased developed love and affection with her and he prepared some objectionable photograph and by using those photograph he started blackmailing her. When his atrocities intensified there was option left to Lusi Kumari but to narrate the entire occurrence to her parents and family members. When she narrated the occurrence to her family members, they hatched a planned conspiracy to kill the deceased. Lusi Kumari called him by mobile phone and the accused persons committed murder by opening firing shots on his person.

The learned counsel for the petitioner has submitted that except confessional statement before the police, there is nothing against the petitioner. He is not a family member of Lusi Kumari. He is brother-in-law (*Jeeja*) of Lusi Kumari and he has no concern with her family affairs. He has falsely been implicated.

On the other hand, the learned App has opposed the prayer for bail and submitted that the confessional statement of the petitioner is also there in the case diary in which he has confessed his guilt.

Considering the above-mentioned facts and circumstances and also considering that the petitioner is a person of clean antecedent and he is under custody since 13.03.2022 and



except confessional statement there is nothing against the petitioner, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Uda-Kishunganj, Madhepura in connection with Alamnagar P.S. Case No. 50 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offense, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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