

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71276 of 2022**

Arising Out of PS. Case No.-8 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

NAVEEN MANDAL S/o Sudhai Mandal R/o Sangeeta Beta (Singlebeta),
P.S.- Antichak, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 12-04-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Budhuchak P. S. Case No. 08 of 2022 registered for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 21.04.2022.

The allegation against the petitioner is to commit murder of his wife along with other co-accused persons/family members, out of matrimonial discord.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely in this case, as the



deceased, who happens to be wife of the petitioner was killed by someone and, as such, the petitioner himself is victim of circumstances. It is submitted that dead body of the wife of the petitioner was recovered from pond, away about 20 kilometers from the house of this petitioner, which is an open place, accessible by general public. It is submitted that subsequent to the recovery of dead body, the confession of this petitioner was recorded, in furtherance of which, nothing incriminating recovered/surfaced, during course of investigation, which may connect this petitioner, *prima-facie*, with the present allegation of murder. It is submitted that petitioner was living happily with his deceased/wife and no any case was registered ever with any police station out of alleged matrimonial discord, which is showing the part of the confessional statement of the petitioner. While concluding the argument, it is submitted that petitioner is man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confessional statement of this



petitioner, no incriminating material recovered/surfaced to connect this petitioner with the present occurrence of murder, where, petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Budhuchak P. S. Case No. 08 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XVI, Bhagalpur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

