

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6781 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- BAISI District- Purnia

1. Kamlesh Mandal, S/o Billu Mandal
 2. Awdhesh Mandal, S/o Billu Mandal
- Both are residents of village - Hatgachhi, P.S. - Baisi, Dist. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Baisi P.S. Case No. 375 of 2023 registered for the alleged offences under Sections 302/201/34 of the Indian Penal Code.

3. As per prosecution case, the mother of the informant was murdered and the informant named co-accused Billu Mandal and Mini Devi showing her suspicion that they might be involved. The name of the petitioners transpired during investigation for also being involved in the murder of the informant.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The petitioners are not named in the FIR and no incriminating material has come up against the petitioners. During investigation, the fact has come on record that the deceased was having illicit relationship with co-accused father of the petitioners and other persons as well. Only due to the fact that the petitioners are sons of co-accused, they have been named in this case. The mother of the informant died due to single injury caused by sharp weapon and allegation is not specific about any one for causing that fatal injury. The petitioners are young boys aged about 20 years and 18 years and they are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. The learned APP further submits that it has come during investigation that the deceased was having illicit relationship with the father of the petitioners and other persons as well and some dispute arose over this point and the petitioners along with other co-accused persons committed the murder of the mother of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioners and further



considering the possibility of false implication, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No. 375 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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