

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23038 of 2024

Arising Out of PS. Case No.-55 Year-2022 Thana- EKCHARI District- Bhagalpur

Suresh Mandal S/o Late Dayalal Mandal R/o Vill- Khawaspur, P.S. - Ekchari,
Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ekchari P.S. Case No. 55 of 2022 instituted for the offence
under Sections 302, 120(B) & 34 of the Indian Penal Code.

3. As per the prosecution case, brother of the
informant was murdered by 2-3 unknown persons along with
one Putul Devi.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-01-2024. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Putul Devi, and the same has no evidentiary value. There is no specific allegation levelled against the petitioner. There is general and omnibus allegation against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, no direct allegation against the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ekchari P.S. Case No. 55 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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