

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39907 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- ANDHRAMATH District- Madhubani

1. Basudev Mandal @ Basudev Kumar Mandal, S/o Laddu Lal Mandal @ Lalu Lal Mandal, Resident of Village-Dumhan, P.S-Andhramath, District-Madhubani
2. Vijay Mandal @ Vijay Kumar, S/o Laddu Lal Mandal @ Lalu Lal Mandal, Resident of Village-Dumhan, P.S-Andhramath, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-08-2024

1. Heard learned counsel for the parties.

2. The instant application with respect to the petitioner no.2 Vijay Mandal having been dismissed as withdrawn by order dated 12.7.2024, the instant application is confined to the petitioner no.1 Basudev Mandal alone.

3. The sole petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Andhramath P.S. Case no. 49 of 2023 registered under sections 302/34 of the Indian Penal Code.

4. As per the prosecution case, the informant states that he married his daughter to Gyandeo Mandal, the elder brother of the petitioner about 10 years ago. She was abused by



the accused persons including the petitioner herein and was ultimately killed on 6.4.2023.

5. Learned counsel for the petitioner submits that the petitioner who happens to be the *dewar* of the deceased has been falsely implicated in the case. The informant is admittedly not an eye witness to the occurrence. The husband of the deceased is in custody and the allegations against the petitioner are general and omnibus in nature. It is further submitted that charge-sheet has been submitted under sections 306/34 of the Indian Penal Code. The petitioner has no criminal antecedent.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, charge-sheet having been submitted in the case under sections 306/34 of the Indian Penal Code and the petitioner who happens to be the *dewar* (husband's younger brother) of the deceased not having any criminal antecedent, it is directed that the petitioner, Basudev Mandal, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Andhramath



P.S. Case no. 49 of 2023 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Additional District Judge-
III, Jhanjharpur, District- Madhubani.

(Partha Sarthy, J)

avinash/-

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

