

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2561 of 2024**

Arising Out of PS. Case No.-11 Year-2024 Thana- KARJA District- Muzaffarpur

Ramesh Mandal S/O Suresh Mandal R/O village Pokharaira P.S. Saraiya
District Muzaffarpur

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Renu Devi W/O Shiv Mangal Paswan R/O village Mansoorpur PS Karja
District Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bela Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-10-2024 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

2. This is an appeal against the order dated 20.04.2024
passed by learned Special Judge, SC/ST Act (POA) Act,
Muzaffarpur in Karja P.S. case no. 11/2024 dated 10.01.2024
and for grant of regular bail to the appellant above named who
has been implicated in Karja P.S. Case No. 11/2024 dated
10.01.2024 under section 365, 302, 120B and 34 of the Indian
Penal Code and Section 3 (2) (v), SC/ST (POA) Act, pending in
the Court of learned Special Judge, SC/ST Act (POA) Act,
Muzaffarpur.

3. As per the prosecution story, the informant alleged



that her husband got a call for purchase of the sand who discloses his name as Ramesh Mandal (the appellant herein). He went with the vehicle loaded with sand but failed to return whereafter the case.

4. Investigation took place in the matter and subsequently, the appellant came into custody and the police was able to connect the link after the dead body of the informant's husband was recovered. It went to the door step of the appellant.

5. The Co-ordinate Bench had called for the case diary which has been received and learned Spl.P.P. has taken this Court to paragraph-57 of the case diary according to which, the tower location of both the deceased, Shiv Mangal Paswan and the petitioner Ramesh Mandal was same between five to six PM at Majhauri Khetan Khagra. The deceased mobile gets switched off thereafter but the mobile of the appellant moves thereafter alongwith the other accused persons mobile to Dighra Maniaari up to Sakra Sujawalpur. The tower location of the appellant from Maniaari goes to Mahua which is the place from the dead body of Shiv Mangal Paswan was recovered. The appellant's tower location from Mahua moves to Sarai, Vaishali and then to Pokhauri.



6. From the aforesaid facts, learned Spl.P.P. submits that the chain relating to disappearance of the informant’s husband (deceased), his presence with the appellant, subsequent recovery of the dead body where the tower location of the appellant is present completes the chain.

7. Learned counsel for the appellant submits that he is in custody since January 2024 and that aspect has to be taken note of.

8. An innocent life has been taken away and the allegation is on the appellant.

9. In view of the fact that he is in custody since 12.01.2024, it would be appropriate that the trial is taken to its logical conclusion.

10. The present application stands dismissed.

(Rajiv Roy, J)

Adnan/-

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

