

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43390 of 2024**

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

Billu Mandal S/O Late Darogi Mandal R/O Village Hatgachhi, P.S. Baisi,  
Distt Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                |
|----------------------------|---|--------------------------------|
| For the Petitioner/s       | : | Mr. N.K. Agrawal, Sr. Advocate |
|                            |   | Mr. Bidhu Ranjan, Advocate     |
|                            |   | Mr. Kumar Rajdeep, Advocate    |
|                            |   | Mr. Arvind Kumar, Advocate     |
| For the Opposite Party/s : |   | Mr. Binod Kumar, A.P.P.        |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

4      30-08-2024                      Heard learned senior counsel for the petitioner and  
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Baisi P.S. Case No. 375 of 2023, registered for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the dead body of the mother of the informant was recovered two days after she left her house on receiving a phone call from the petitioner. The informant raised suspicion about petitioner and his co-accused wife committing murder of the mother of the informant and concealed her dead body.



4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no eye witness to the said occurrence. Learned senior counsel further submits that it has come in the investigation that allegedly the petitioner was having illicit relationship with the deceased and due to pressure of family the petitioner and other co-accused persons slit the throat of the mother of the informant. However, it has also come during the investigation that the deceased was having relationship with other persons and the same was objected by her family members and she might have been killed either by her family members or any person. Learned senior counsel further submits that cause of death has been stated to be asphyxia and injuries caused by sharp weapon. The petitioner and deceased were relatives as the petitioner is husband of the sister of the deceased. Learned senior counsel further submits that the co-accused persons have been granted regular and anticipatory bail by this Court *vide* orders dated 10.05.2024 and 09.04.2024 in C. Misc. Nos. 6354 of 2024 and 6781 of 2024, respectively. The petitioner is in custody since 22.09.2023 and charges sheet has been submitted against the petitioner. The petitioner has got no criminal antecedent.



5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that it has come during investigation that deceased was having illicit relationship with the petitioner and other persons and the dispute arose over this point and the petitioner along with other co-accused persons murdered the mother of the informant.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the lack of substantive material against the petitioner and further considering the period of custody and submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnia/concerned court, in connection with Baisi P.S. Case No. 375 of 2023, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the below, if  
so required by the learned trial court.

(iii) In case of absence on three  
consecutive dates or in violation of the  
terms of the bail, the bail bond of the  
petitioner will be liable to be cancelled  
by the court concerned.

**(Arun Kumar Jha, J)**

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