

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44339 of 2024**

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

Mukesh Mandal @ Mukesh Kumar Mandal S/o Binod Mandal @ Vinod Mandal R/o Village-Hatgachhi Malharia, P.S.- Baisi, District-Purnea

... .. 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 : Mrs. Rita Verma, A.P.P.

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

3 30-08-2024 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending his 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 petitioner transpired during investigation for also being involved in the murder of the informant.



4. The learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and no incriminating material has come up against the petitioner. During investigation, the fact has come on record that the deceased was having illicit relationship with co-accused Billu Mandal and other persons as well. Only due to suspicion, the petitioner has been named in this case. The mother of the informant died due asphyxia and injury caused by sharp weapon and allegation is not specific about any one for causing the fatal injury. 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 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 Billu Mandal and other persons as well and some dispute arose over this point and the petitioner 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 petitioner and further considering the possibility of false implication, let the petitioner, above named, in the event of his 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, Purnia, 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 petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court

(Arun Kumar Jha, J)

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