

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.57729 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- JADIA District- Supaul

Shivam Mandal @ Shivam Kumar Son of Late Suresh Mandal R/O
Raghunathpur, Ward No. 4, P.S. Jadiya, District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aditi Medha
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 03-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jadiya Police Station Case No. 32 of 2024, dated 21.02.2024, disclosing offences punishable under Sections 302/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the cousin sister of the informant was married to Pinki Devi (now, deceased) about ten years ago and the deceased gave birth to three children. It has been alleged that the deceased was mercilessly beaten to death by the petitioner and his brothers, including the husband of the



deceased.

4. Learned Counsel for the petitioner submits that the petitioner is the brother-in-law (dewar) of the deceased and he has not committed any offence in the manner alleged. She further submits that no reason has been given in the First Information Report as to why the petitioner and other accused persons would kill the deceased. She further submits that the deceased has committed suicide by consuming poison.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that in the post mortem examination report, the doctor has opined the cause of death as cardio respiratory failure due to hemorrhage and neurogenic shock. The doctor has also found abrasion on left hand fore arm and left ear pinna and bleeding from nose.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is direct allegation against the petitioner and during the post mortem of the deceased, the doctor has found external injuries also, I am not inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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