

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57158 of 2024

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

Sanjay Mandal Son of Late Suresh Mandal Resident of Raghunathpur, Ward
No. 04, P.S. -Jadiya, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Ms. Aditi Medha, Advocate
For the State : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 05-12-2024 Heard Ms. Aditi Medha learned counsel for the

petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Jadiya P.S. Case No. 32 of 2024 for the offences punishable under Sections 302 and 34 of the Indian Penal Code, lodged on 21.02.2024 by the informant, Raman Kumar.

3. As per the prosecution story, the informant alleged that upon knowledge that the husband of deceased Pinki Devi namely Sanoj Mandal has killed her after beating mercilessly, reached the matrimonial house of his sister and lodged the F.I.R.

4. Learned counsel for the petitioner submits that there was a marriage in the family, on some issue altercation took place which followed the scuffle. Enraged, the lady after



sometime consumed poison and ultimately led to her death. It is her further submission that whatever happened it was with the husband, the petitioner being elder brother-in-law, though in the said scuffle his participation may be there as alleged that he abused the lady, he has already remained in custody since 01.03.2024 (paragraph no.7 of the petition) and if granted relief, shall be diligently appearing in trial.

5. Learned APP for the State opposes the prayer submitting that from the record it is clear that he was also there during the assault which ultimately led to the death.

6. In this case, the coordinate Bench had called for the case diary which is on record. This Court has perused the materials on record as also the submissions put forward by the parties and find that there are witnesses who have made statement that earlier there was altercation between the accused and the lady on some issue and the matter was pacified. Later, it seems that enraged, she consumed poison which ultimately proved fatal. Paragraph no.19 of the case diary is the statement of Anita Devi who is a neighbour and the aforesaid facts finds incorporated in the said paragraph.

7. Paragraph no.64 of the case diary reads about the arrest of the husband Sanoj Mandal and according to the learned



counsel for petitioner, he is still in custody.

8. Taking into account the aforesaid facts as also the fact that the petitioner has no criminal antecedent and is in custody since 01.03.2024, an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Supaul in connection with Jadiya P.S. Case No.32 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

10. Before parting, this Court would like to put on record its word of appreciation for Ms. Aditi Medha, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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