

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82845 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- GHOGHARDIHA District- Madhubani

JAY PRAKASH MANDAL, SON OF KARI MANDAL R/O VILLAGE-
DHANUKI KARIYAUT, P.S.- LAUKAHI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Vinod Kumar, Adv.
For the Opposite Party/s :		Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Ghoghardiha P.S. Case No. 114 of 2023, lodged on 10.07.2023
under Sections 302, 201 & 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons including the present
petitioner against whom there is an allegation that the petitioner
was in love with the informant's wife and with a view to make
his love successful, he has thrown both the children of the
informant in the river and thereafter, informant's son Prince
Kumar was taken out, while his daughter Shristi Kumari swept
away in the river.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that from the bare reading of the *fardbayan*, it is clear that informant is not the eye-witness. Counsel further submits that the criminal antecedent of the petitioner is not clean and there is only one criminal case pending against him which is related to Excise Act, in which he is on bail. The petitioner is in custody since 11.07.2023 in the present case. Counsel submits that charge-sheet has already been filed in this case.

5. Learned counsel for the petitioner submits that the allegation made in the FIR is absolutely false and it is true that he is residing near the informant's house and only due to local petty dispute, the petitioner's name has been figured in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that the dead body of informant's son has been recovered and as per the post-mortem report, it is clear that he died due to spinal shock caused by neck bone fracture injury. Counsel further submits that the petitioner and informant's wife is so cruel that for their sexual lust, they have killed both the kids who are minor.



8. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

9. Accordingly, the prayer for regular bail of the petitioner in connection with Ghoghardiha P.S. Case No. 114 of 2023, pending before the learned A.C.J.M., Jhanjharpur, Madhubani is **hereby rejected**.

(Dr. Anshuman, J.)

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