

Arising Out of PS. Case No.-110 Year-2024 Thana- Amdanda District- Bhagalpur

Arising Out of PS. Case No.-110 Year-2024 Thana- Amdanda District- Bhagalpur

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Ms. Pushpa Sinha

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 61(2), 3(5) of the B.N.S.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that one Sunil Mandal was married to Manorama Devi and from the wedlock, he had a daughter namely Rubi Devi (petitioner no.1), who was married to Brajesh Mandal (petitioner no.2). It is next submitted that mother of Sunil



Mandal is Sudami Devi (petitioner no.3). It is next submitted that during subsistence of his first marriage, Sunil Mandal married the deceased about more than 20 years back and out of the wedlock, the informant and another child who presently is 8 years of age were born. The learned counsel next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant who is daughter of the deceased alleges that his mother was killed by the accused persons including the petitioners. It is also alleged that deceased was living separately from Sunil along with her younger daughter and her younger daughter had gone to see a fair and when she returned at 12.30 P.M. she saw Rubi Devi and Brajesh Mandal leaving the house, thus alleges that the accused persons killed her mother with a view to usurp her property in the land. It is further submitted that in 20 years of marriage, no case ever came to be instituted by the deceased or the informant that they feel threatened by the petitioners.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that no doubt in the F.I.R., it is alleged that the younger sister of the informant saw Rubi and Brajesh leaving



the house after she returned from a fair but then from perusal of the statement of Rajiv Bind recorded at para-40 of the case diary, it would manifest that he had also accompanied the younger sister of the informant but he has not disclosed that he saw the petitioners at the place of occurrence. It is next submitted that the first wife of Sunil Mandal is still alive as such deceased could not have claimed any share in the property as the marriage was void but then definitely the informant and her younger sister have share in the property as such if the accused had any intention of committing the occurrence then they would have attempted to kill the informant and her younger sister, as no useful purpose would have been served by killing the deceased.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the



case is pending/successor court in connection with Amdanda
P.S. Case No.110/2024, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

