

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30311 of 2025

Arising Out of PS. Case No.-117 Year-2023 Thana- RAUTARA District- Katihar

-
1. Pintu Mandal S/o- Sant Lal Mandal W/o- Pintu Mandal R/o- Rautara Ps- Rautara Dist- Katihar
 2. Joshana Devi W/o- Pintu Mandal W/o- Pintu Mandal R/o- Rautara Ps- Rautara Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard Mr. Sanjeev Kumar Singh, learned counsel for the petitioners and Mr. Pramod Kumar Pandey, learned APP for the State.

2. The petitioners are in custody in connection with Rautara P.S. Case No. 117 of 2023 for the offence punishable under Sections 302, 120(B), 34 of the I.P.C. lodged on 10.12.2023 by the informant, Pappu Rai.

3. As per the prosecution story, the informant alleged that his son, Prem Kumar Rai had gone outside when Vicky Kumar Swarnkar, Pintu Mandal, Debu Kumar Yadav and others had a scuffle. Later, allegation is that Vicky Kumar Swarnkar, Pintu Mandal and his wife (petitioner No.2) threatened them of dire consequences. As, they came out of the house, found the



dead body of the son on the door, this led to the FIR.

4. Learned counsel for the petitioners submit that there is no eyewitness to the occurrence, only because there was a scuffle earlier and the deceased got threatened with dire consequences, they have been implicated.

5. Learned APP opposes the prayer for bail submitting that the cause of death is asphyxia due to hanging.

6. Learned counsel for the petitioners submit that the case diary is on record. In which, there is no eyewitness to the said occurrence. It is to be noted that a co-ordinate Bench earlier had called for the case diary on 16.05.2025, which is available along with the postmortem report.

7. Learned counsel further submitted that two of the co-accuseds, namely, Debu Kumar Yadav (Cr. Misc. No. 29499 of 2024) and Laxman Mandal (Cr. Misc. No. 29459 of 2024) have been granted relief.

8. Taking into account the aforesaid facts as also that there is no eyewitness to the occurrence, the two petitioners are remained in custody since 22.02.2025 and have no criminal antecedent, some of the co-accused persons have been extended relief, in that background, this Court is inclined to extend them the privilege of bail with conditions.



9. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Rautara P.S. Case No. 117 of 2023, subject to the following conditions:

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

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

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

(Rajiv Roy, J)

manoj/-

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

