

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60052 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- PALASI District- Araria

Hiranand Mandal S/o- Jagdish Mandal Village- Chori, Ward No. 4, Panchayat
Chori, Urlaha, P.S. Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his daughter was married to Prem Sundar Mandal
and out of the wedlock, two children were born and his son-in-
law works outside for livelihood, further alleges that one
Pramod Mandal had evil intention towards his daughter and
always used to follow her, further on 01.11.2023, the informant
received a telephonic message from a villager of his son-in-law
that his daughter had been killed, thereafter he reached the place



of occurrence and saw the dead body of his daughter lying in a paddy field 40 meters away from her matrimonial home with her neck and stomach badly and brutally stabbed, accordingly, based on suspicion, the FIR was instituted against Pramod Mandal.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name transpired in the confessional statement of Pramod Mandal in police custody which does not have any evidentiary value, it is further submitted that in the FIR also no aspersion has been cast against this petitioner. It is submitted that Pramod Mandal in his confessional statement has stated that he was in love with the deceased, but after some times, the deceased got close with the petitioner, on which Pramod Mandal raised objection, but the deceased disclosed about her relationship with the petitioner to her father, on which her father came and talked to Pramod, further that the villagers came to know about the relationship of the victim with the petitioner and Pramod, as such, they were being humiliated and hence planned to kill the victim in which he along with petitioner and two others participated and the victim was killed. It is further submitted that Rahul Kumar, whose name also transpired in the confessional statement of



Pramod, had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 38081 of 2024 and the same was allowed by an order dated 11.07.2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that in the event if petitioner is granted the privilege of anticipatory bail, he may abscond as investigation is still progressing, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Palasi P.S. Case No. 327 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Jagdish Mandal.



8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

10. At this stage, the learned counsel appearing on behalf of the petitioner submits that no such condition was imposed when Rahul was granted the privilege of anticipatory bail, on which the learned APP submits that the consideration of Rahul for anticipatory bail was different as he was a student.

11. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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