

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10847 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

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Bilash Mandal Son of Late Ram Tahal Mandal Resident of Village - Garhi
Bato, Police Station - Shambhuganj, District - Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikaramdeo Singh
Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Binod Kumar III, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 302/149 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that there appears to be general and omnibus allegation of assault against as many as 13 accused persons including the petitioner named in the F.I.R. vide Annexure-1 and further taking into consideration that the death of the deceased had not taken place on the spot, rather death of the deceased had taken place on the way to hospital and also taking into consideration the fact that the petitioner is in judicial custody since 23.12.2014 and he is not said to be accused in any other criminal case, excepting the present one, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Shambhuganj P.S. Case No. 115 of 2014, subject to the conditions that:

(A) One of the bailors must be government servant or



(B)

close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner, if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and

(C)

the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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