

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2269 of 2015

Arising Out of PS.Case No. -412 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

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Pankaj Mandal @ Pankaj Kr. Mandal Son of Tarkeshwar Mandal Resident
of Village - Ogri, Police Station - Kahalgaon, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Ram Sewak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-01-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
01.09.2014 in a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged by the informant that nine
persons came including the petitioner on three motorcycles when
Tidha Yadav said that Pappu will be killed when Sonu Kumar Jha
took out pistol and given to Tidha Yadav, who fired on the chest
of Pappu Khan. Subsequently, Pappu Khan succumbed to the
injuries. One accused Sumit Kumar was caught on the spot.

It is submitted by learned counsel for the
petitioner that the accusation of firing is not against the petitioner.

Considering the fact that the petitioner is not the assailant, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur in connection with Kahalgaon P.S. Case No. 412 of 2014.

Since the petitioner has criminal antecedent, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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