

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48216 of 2014**

Arising Out of PS.Case No. -62 Year- 2014 Thana -MAJHAGARH District- GOPALGANJ

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1. Mosaiyat Shah, Son of Shakur Shah resident of village- Dewapur Purdil  
Tola, P.S.- Manjhagarh, Distt.- Gopalganj

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Shardanand Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      03-03-2015                      Heard Counsel for the petitioner and Mr. Dayal  
  
learned APP for the State.

Petitioner prays for grant of bail in Manjhagarh P.S.  
  
Case No. 62 of 2014 registered under Sections 302 and 147 of the  
  
Indian Penal Code. Even going by the prosecution case, the  
  
petitioner has been projected as the member of the mob who  
  
reached the place of occurrence and one of them namely Tabrej  
  
assaulted the husband of the informant by *lathi* on head as a result  
  
whereof he dropped dead.

Contention of the petitioner is that the allegation of  
  
assault which caused death has not been attributed to the  
  
petitioner. He is aged about 60 years and is in custody since  
  
10.08.2014. There is no criminal antecedent against the petitioner.



Considering the age as well as period of incarceration in the background of allegation placed in the First Information Report, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of C.J.M, Gopalganj in connection with Manjhagarh P.S. Case No. 62 of 2014 subject to the following two conditions:

- (i) One of the bailers shall be the own/close family members of the petitioner.
- (ii) The petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the bail bond of the petitioner shall be cancelled and thereafter the Trial Court will be at liberty to secure his arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

Pankaj/-

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