

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38315 of 2014

Arising Out of PS.Case No. -266 Year- 2013 Thana -JAGDISHPUR District- BHAGALPUR

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1. Kundan Mandal Son of Ashok Mandal Resident of village - Ghoraha,
P.S. Goradih, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Arun Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 15-05-2015 Heard Counsel for the petitioner and Mr. Ram
Chandra Singh, learned APP for the State.

Petitioner is apprehending his arrest in connection
with Jagdishpur P.S. Case No. 266 of 2013 instituted under
diverse provisions of the Penal Code including Section 307 IPC.

Counsel for the petitioner placed the F.I.R. in order to
demonstrate that no specific role has been assigned to the
petitioner save and except he assaulted the informant with lathi on
his thigh. The case diary contains the injury report of the victim.

Learned APP points out that the victim received an
injury caused by hard blunt substance on head. There is no
corresponding injury found on thigh.

Considering the fact that the allegation of fire arm
injury is not assigned to the petitioner as also the fact that

corresponding lathi injury has not been found on thigh of the victim/informant, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in Jagdishpur (Goradih) P.S. Case No. 266 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(I) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, 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.

Pankaj/-

(Kishore Kumar Mandal, J)

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