

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18401 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -DHOLBAJJA District- BHAGALPUR

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Ram Lakhan Mandal, Son of Muso Mandal, Resident of Village- Luri Das
Tola, P.S.- Dholbajja, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Md. Ashlam Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 02-07-2015 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is lodged in custody since 31.07.2014 in connection with Dholbajja P.S. Case No. 08 of 2014 registered under section 302/34 IPC. The informant is the father of the deceased. Admittedly, he is not the eye witness. He has raised suspicion in the FIR that on account of previous offence committed with the deceased the accused persons suspected in the FIR assaulted his son which ultimately caused his death.

Learned counsel for the petitioner submits that the deceased had also lodged a case a day prior to the occurrence vide annexure-3 wherein he has been cited as an accused. The informant is admittedly not an eye witness. Few weeks after the

occurrence the widow of the deceased lodged the complaint wherein the allegation of assault has been attributed to the police personnel(s) which caused the death of the victim. Considering the aforesaid fact, another co accused of this case namely Nand Kishore Mandal vide order dated 14.01.2015 passed in Cr. Misc. No.40071 of 2014 has been released on bail. Except the case which was lodged by the deceased there is no other criminal case against the petitioner.

Considering the aforesaid, the petitioner above named 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 Sri R. Ranjan J.M. 1st Class, Naugachia, Bhagalpur in Dholbajja P.S. Case No. 08 of 2015 on condition that one of the bailors shall be own/close family member of the petitioner. As soon as the charges are framed, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

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