

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47315 of 2015

Arising Out of PS.Case No. -87 Year- 2015 Thana -MANSI District- KHAGARIA

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1. Babulal Mandal Son of Panchu Mandal, Resident of village- Saidpur, P.S. Mansi, District- Khagaria
 2. Panchu Mandal, Son of Bhupee Mandal, resident of village- Saidpur, P.S.- Mansi, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar(APP)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 16-10-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Babulal Mandal and Panchu Mandal, in connection with Mansi Police Station Case No. 87 of 2015, under Sections 304B/201/34 of the Indian Penal Code.

Perused the above application and materials on record. Also perused the relevant case diary.

Heard Mr. Nikhil Kumar Agrawal, learned Counsel for the petitioners, and Mr. Ajit Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

Considering the nature of incriminating materials available against accused-petitioner No.1, namely, Babulal Mandal, this Court is of the view that at this stage, the accused-

petitioner No.1 shall not be allowed to go on bail.

In view of the above and in the interest of justice, the prayer for bail of petitioner No.1 is hereby rejected at this stage.

As far as accused-petitioner No.2, namely, Panchu Mandal, is concerned, he is an old man aged about 62 years, he has been in custody since 29.07.2015 in connection with the case aforementioned and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Mansi Police Station Case No. 87 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court

below, as may be directed.

This bail application shall stand disposed of accordingly.

Mkr./-

(I.A. Ansari, ACJ.)

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