

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47555 of 2015

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1. Rajesh Mandal Son of Prithwi Mandal
2. Kripal Mandal Son of Late Bhagwan Mandal Both are resident of
village - Dumri, P.S. Tikapatti, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Perused the report of learned A.C.J.M., Purnea and

hared learned counsel for the petitioners and learned A.P.P.

representing the State.

The instant application has been filed for modification
in the order dated 10.08.2015 passed in Criminal Miscellaneous
Case No. 28159 of 2015 wherein the petitioners were directed to
be released on bail after framing of charge with the conditions
mentioned therein, but charges have not been framed and in near
future the trial is not likely to be concluded and the learned Court
below refused to separate the case of the petitioners and as such
the order dated 10.08.2015 requires modification for the ends of
justice. In this case similarly situated other six accused persons
have already been allowed bail which is evident from the report of
the court below itself.

Learned APP after going through the report dated

20.11.2015 of the learned A.C.J.M., Purnea, fairly submits that out of eight accused persons, six accused persons are on bail and these petitioners are in custody though there is general and omnibus allegation against them.

In the facts and circumstances stated above, the order dated 10.08.2015 passed in Criminal Miscellaneous No. 28159 of 2015 is modified to the extent that the petitioners are directed to be released on bail at once on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of C.J.M. Purnea in connection with Tikapatti P.S. Case No. 41 of 2015 with the following conditions:-

- (1) One of the bailors will be the close relative of the petitioners.
- (2) The petitioners will not indulge in similar or in any other offence.
- (3) The petitioners will be well represented in the court.
- (4) In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bonds will be liable to be cancelled by the court concerned.

In the result the instant Criminal Miscellaneous is hereby allowed.

(Jitendra Mohan Sharma, J)

Rajiv/-

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