

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26264 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -SHERGHATI District- GAYA

1. Vijay Mandal
2. Poli Mandal @ Pali Mandal
Both Son of Late Dhanu Mandal Resident of village- Hardawan, P.S.-
Dobhi, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Asha Kumari(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Sherghati
(Dobhi) P.S. Case No. 64 of 2015 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, when the husband of the informant was tying
his cattle, Bijay Mandal came and started abusing him and on
protest, Shiv Kumar Mandal and petitioner no. 2 came there and
they also started abusing him and then Shiv Kumar Mandal gave
Tangi blow on the head of her husband and the petitioners
assaulted him with Danda on his hands and legs. The husband of
the informant fell down unconscious and died at the spot.

Submission is of false implication and that the petitioners are not the assailants and they are in custody since 18.03.2015. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence to which learned APP fairly submits that the petitioners are not the assailants and they have assaulted the informant's husband on his hands and legs with Danda.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 64 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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