

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50738 of 2015**

Arising Out of PS.Case No. -110 Year- 2014 Thana -PURAINI District- MADHEPURA

=====

Parmeshwar Mandal Son of Late Singheshwar Mandal, Resident of  
Village- Ganeshpur, Police Station- Puraini, District- Madhepura

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Uday Chand Prasad

For the Opposite Party : Mr. Smt.Veena Rani Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      22-12-2015      Heard the counsel for the petitioner and counsel for the  
  
State.

The petitioner is languishing in jail since 03.07.2015 in  
a case instituted under Sections 341, 323, 324, 307, 504 and 34 of  
the Indian Penal Code.

As per prosecution case that while the informant was  
erecting *Tati*, then co-accused Tuntun Mandal came and abused  
the informant and when the informant objected the petitioner and  
other accused persons having armed with *garasa* and *Dabiya* came  
and ordered to assault and co-accused Tuntun Mandal snatched  
Dabiya from the hand of the informant and fell down on the  
ground and all the accused persons assaulted the informant by  
*lathi* and *danda* causing injury to him and became unconscious.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.07.2015. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. As per prosecution case, petitioner is the order giver. The main allegation of assault is against Tuntun Mandal. From perusal of the FIR, it appears that the alleged occurrence is said to have taken place on 04.12.2014 but the case was instituted on 16.12.2014 and no explanation has been made in respect to delay of the institution of the FIR by the prosecution.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura in connection with Puraini P.S.Case No.110 of 2014.

**(Sudhir Singh, J)**

B.Kr./-

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