

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4032 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

1. Ravin Mandal Son of Jhingur Mandal Resident of village - Abhiya,
Police Station Gopalpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.4202 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

1. Ranjit Mandal Son of Janardan Mandal Both are residents of Village-
Abhiya, Police Station Gopalpur District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.4032 of 2016)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

(In Cr.Misc. No.4202 of 2016)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

3 18-03-2016 Both the criminal miscellaneous applications are of
the same occurrence and, as such, have been heard together and
are being disposed of by passing this common order.

Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Gopalpur P.S. Case No. 177 of 2015 registered for the offences punishable under Sections 147, 148, 149, 452, 307, 302, 323, 325, 436, 379, 341 and 342 of the Indian Penal Code and Section 3(2)(V) of the SC & ST (Prevention of Atrocities) Act, 1989.

It is submitted that in the First Information Report there is general and omnibus allegation against the petitioners and other co-accused to have assaulted, and though there is allegation of assault by eighteen persons but only six injuries have been found on the person of the deceased and in this case, five similarly situated co-accused have been allowed bail vide Cri. Misc. Nos. 49862/15, 53629/15 and 1998/16 by another co-ordinate Bench of this Court and, as such, the petitioners also deserve sympathetic consideration to which the learned A.P.P. is not in a position to distinguish the case of the petitioners from those co-accused.

In the facts and circumstances stated above, the petitioners, above named, are also 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 Additional Chief-Judicial Magistrate, Naugachia, Distt. Bhagalpur in connection with Gopalpur P.S. Case No. 177 of 2015 subject to the conditions that one of the bailors must be 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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