

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6896 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -SABAUR District- BHAGALPUR

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Shambhu Mandal son of Late NankhuYadav @ Late Harkhu Mandal, R/o
village- Parshatdih, P.s.- Sabour, District- Bhagalpur.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Aditya Narayan Singh 1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Sabour P.S. Case
No. 167 of 2015 registered for the offences punishable under
Sections 427, 504, 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused started
abusing the husband of the informant and when he forbade then,
they stated to kill him and in the meantime co-accused Rudal
Yadav shot the husband of the informant who died.

Submission is of false implication and that the petitioner
was not present at the time of occurrence, the manner of
occurrence as alleged is not the true version, another co-accused
Ganahari Devi the wife of the petitioner has been allowed bail
vide Cr. Misc. No. 1583 of 2016 by another co-ordinate Bench of

this Court and the petitioner is suffering in custody since 20.08.2015.

Learned APP fairly submits that the petitioner is not the assailant.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Md. Salim, J. M. Ist Class, Bhagalpur in connection with Sabour P.S. Case No. 167 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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