

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6199 of 2016

Arising Out of PS.Case No. -186 Year- 2014 Thana -KURSELA District- KATIHAR

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1. Mangan Mandal Son of Late Chanchal Mandal, Resident of Village -
Chai Tola, Police Station - Kursela, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 10-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Kursela
P.S. Case No. 186 of 2014 registered for the offences punishable
under Sections 147, 342, 207, 302 and 504 of the Indian Penal
Code.

The petitioner wants to renew the prayer of bail
which was earlier rejected vide order dated 8.10.2015 passed in
Criminal Misc. No. 25434 of 2015 on the ground that the
petitioner is in custody since 09.04.2015, there is no specific
allegation against the petitioner, only one fire-arm injury was
found on the person of the deceased and further, the informant
also sustained only one fire arm injury and at the time of visiting
the place of occurrence the I.O. has not found any cartridges vide
para 40 of the case diary and mentioning these facts co-accused

similarly situated Bablu Mandal has been allowed bail in Criminal Miscellaneous No. 30570 of 2015 by order dated 29.10.2015 passed by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from Bablu Mandal who has been allowed bail by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering the period of detention of the petitioner and further that similarly situated co-accused Bablu Mandal has been allowed bail, the petitioner is also directed to be released on bail on execution of bail bond Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Katihar, in connection with Kursela P.S. Case No. 186 of 2014 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 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)

siddharth/-

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