

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21672 of 2016

Arising Out of PS.Case No. -60 Year- 2014 Thana -BIHPUR District- BHAGALPUR

1. Mithun Mandal Son of Nand Kishore Mandal Resident of Village
Amarpur, PS Bihpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Bihpur
P.S. Case No. 60 of 2014 registered under Sections 341, 323, 324,
307 and 302/34 of the Indian Penal Code.

It is contended that the informant Bhado Yadav
being an eye-witness to the occurrence has alleged in the FIR that
one Nand Kishore Mandal and Abodh Mandal were the two
persons, who had assaulted with *lathi* on the head of the nephew
of the informant, namely, Ashok Kumar Yadav, who died
subsequently during treatment. He has further submitted that in
view of the fact that the informant himself was an eye-witness,
there was no occasion for addition of names of other persons as

accused in the FIR. The subsequent addition of names of the petitioner and others is nothing but an afterthought.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, the petitioner Mithun Mandal, who is reported to be a man of clean antecedent and is in custody since 11th March, 2016, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No. 60 of 2014.

(Ashwani Kumar Singh, J)

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