

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45722 of 2015**

Arising Out of PS.Case No. -64 Year- 2013 Thana -AMARPUR District- BANKA

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1. Bablu Mandal @ Babla @ Babla Mandal @ Bablu, Son of Sri Bharat Mandal @ Bharat Tanti, resident of Mahauta, Police Station- Amarpur, District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

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

3      07-01-2016                      Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Amarpur P.S. Case No. 64 of 2013 registered for the offences punishable under Sections 307, 302/34 of the Indian Penal Code.

Allegedly, for earlier dispute the petitioner and other FIR named accused persons surrounded the husband and grandson of the informant and co-accused Dablu @ Dabla and the petitioner stabbed Gupti in the chest of Bimal Mandal the grandson of the informant and co-accused Sumant Mandal and Anant Mandal stabbed Gupti in the stomach of Jogendra Mandal the husband of the informant and when the informant tried to rescue she was

assaulted by co-accused Bijay Mandal with knife and Bimal Mandal succumbed to the injuries.

Submission is of false implication and that Jogendra Mandal the injured has specifically stated that the petitioner caught Bimal Mandal and co-accused Dablu stabbed Gupti in the chest and as such the petitioner is not the assailant and he is suffering in custody since 12.04.2013, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that during investigation other witnesses including Jogendra Mandal the injured have stated that Dablu stabbed Gupti in the chest of the deceased.

In the facts and circumstances stated above, considering that the petitioner is not the assailant, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 A. Pandey, Judicial Magistrate Ist Class, Banka in connection with Amarpur P.S. Case No. 64 of 2013, 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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