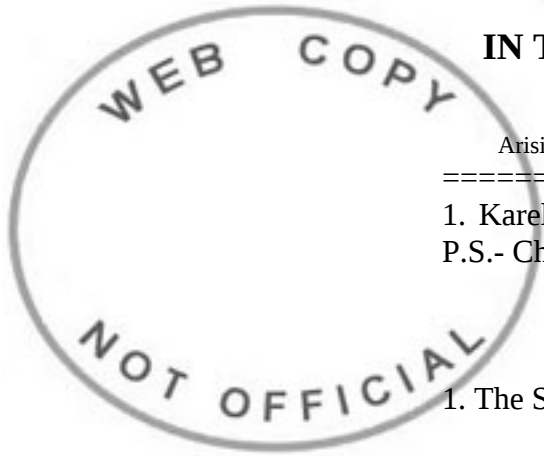




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56204 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -DHOLBAJJA District- BHAGALPUR

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1. Karelal Mandal, Son of Ramjot Mandal, Resident of Village- Garaiya,
P.S.- Chousa, District- Madhepura.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. M.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 18-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 302/34 of the I.P.C

On the basis of the written application filed by Urmila
Devi, the wife of the deceased Kesho Sharma, this case was
initiated with the allegation that after hearing the sound of fire the
informant opened the window and saw the petitioner covering his
mouth with cloth and co-accused Amod Bhagat and Binod Bhagat
there and her husband was injured. It is alleged that they opened
three fire and killed the husband of the informant.



Submission is of false implication and that later on the informant filed another application alleging that the First Information report was lodged under wrong impression as her L.T.I. was taken by Ran Vijay Sharma and as a matter of fact Ran Vijay Sharma, Manikant Sharma and Jafri were seen fleeing away, due to the land dispute the petitioner has been implicated, co-accused Manikant Sharma has been allowed bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that in the first written application the petitioner is named but in the second written application which is mentioned in paragraph-40 of the case diary the petitioner is not named and the petitioner has got criminal antecedent, the petitioner is suffering in custody since 12.09.2015.

In the facts and circumstances as stated above, considering that there are two versions of the informant and in the second application the petitioner is not named and as such the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Naugachiya in Dholbazza (Kadwa) P.S. Case No. 48 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)

Abhay/-

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