

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31665 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -BARIYARPUR District- MUNGER

=====

1. JUGESH @ JUGESH MANDAL @ JUGBA MANDAL Son of late
Laxmi Mandal Resident of Village- Pariya, P.S+P.O. Bariyarpur, District
Munger. Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

=====

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

3 16-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bariyarpur P.S.
Case No. 79 of 2015 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, the son of the informant was not present in the
house and on the next day his dead body was found at Bariyarpur
Kharagpur Road having 4-5 bullet injuries. The informant does not
know as to who has killed his son. During the course of investigation it
transpires that prior to his death a quarrel has taken place with the
petitioner and deceased at the point of division of looted gold and silver
ornaments and then the petitioner and other co-accused committed the
murder of the deceased and threw the dead body with a view to screen
from legal punishment.

Submission is of false implication and that after eight months of the occurrence the police has collected some material which is not reliable and probable. The petitioner has been made victim of police atrocities. He has been involved in other cases also but he is not named in those cases as such he deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, considering that after lapse of 7-8 months name of the petitioner has transpired that earlier there was quarrel between the deceased and the petitioner and other co-accused and besides that there is nothing against the petitioner, 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 the learned Chief Judicial Magistrate, Munger in connection with Bariyarpur P.S. Case No. 79 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)

avin/-

U		T	
---	--	---	--