

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47306 of 2016**

Arising Out of PS.Case No. -4 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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1. Kailash Mandal son of Late Gahabi Mandal  
 2. Ajay Mandal son of Shyam Mandal  
 Both resident of village Sonudih PS Goradih Dist. Bhagalpur

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Gopal Prasad Roy  
 For the Opposite Party/s Mr. Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

02/ 20.12.2016 Heard learned counsel for the petitioners as well as learned

Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under sections 302,  
 201/34 of the Indian Penal Code.

Petitioners are named in the first information report but  
 admittedly, informant is not an eye-witness of the alleged occurrence  
 and she came to know about the alleged occurrence from one  
 Bhadeshwar Mandal who happens to be her brother.

Submission on behalf of the petitioners is that in course of  
 trial, aforesaid Bhadeshwar Mandal was examined as Prosecution  
 witness no.1 and he has not supported the prosecution case. It is  
 further submitted that even if the statement of the aforesaid  
 Bhadeshwar Mandal is discarded, then also, there is nothing against  
 the petitioners who are in jail custody since 9.1.2016 and 28.2.2016  
 respectively.

Considering the aforesaid facts and circumstances as well as



submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge VI, Bhagalpur in Sessions Trial no. 315 of 2016/Tr.no. 66 of 2016 arising out of Jagdishpur Goradih P.S. Case no. 04/2016.

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(Hemant Kumar Srivastava,J)

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