

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53561 of 2016

Arising Out of PS.Case No. -48 Year- 2005 Thana -RAIL District- LAKHISARAI

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Ajay Kumar Mandal @ Ajay Mandal @ Babloo Mandal @ Balloo, Son of
Late Raghubir Mandal, resident of Village- Padiya, P.S.- Bariyarpur,
District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 147, 148, 149, 323, 307, 224, 225 and 353 of the Indian Penal Code and 174 of Railway Act.

Allegation is that four accused persons were arrested on suspicious condition by police on a railway boggy. When the train reached at Bariyarpur Railway Station, 40 to 50 persons including petitioner assaulted police personnel and pelted stone upon them to get the apprehended accused persons free.

It has been submitted on behalf of petitioner that he is in custody since 1.10.2016. No allegation of tampering of witnesses is alleged against petitioner. He has falsely been implicated in the present case. General and omnibus allegation has been made against all the accused persons. No one is said to have been injured in course of occurrence. Hence, no offence under Section 307 of the Indian Penal Code is made out. Other co-accused have been granted bail vide Annexure-2 to the present application. It is



further submitted that petitioner may be released after completion of six months in custody, i.e., from 1.10.2016.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of six months in custody, i.e., from 1.10.2016 on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate Railway, Kiul (Lakhisarai), in connection with Jamalpur Rail P.S. Case no. 48 of 2005.

(Sudhir Singh, J)

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