

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58320 of 2015

Arising Out of PS. Case No. -36 Year- 2015 Thana -BATH District- BHAGALPUR

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Dhanna Mandal @ Vikash Kumar, son of Uchit Mandal Resident of Village
Divdha, P.S. Bath, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Radhe Shyam Prasad, Sr. Advocate
Mr. Praveen Kumar Agrawal, Advocate

For the State : Mr. Rajendra Pd.Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 304B, 326, 307, 201 read with Section 34
of the Indian Penal Code registered in connection with Bath P.S.
Case No. 36 of 2015.

3. It is submitted that the petitioner being the brother-in-
law of the deceased has been falsely implicated. His earlier
anticipatory bail application filed along with co-accused Meera
Devi being Cr. Misc. No. 47119 of 2015 had been withdrawn by
him under wrong impression that he had been arrested. The said
Meera Devi has since been granted anticipatory bail by a
coordinate Bench of this Court and the case of the petitioner stands
on similar footing and the accusation against him is general and
omnibus in nature. It is further submitted that the petitioner as well
as said Meera Devi were living separately as evident from the
order dated 16.02.2016 passed in Cr. Misc. No. 47119 of 2015. It
is further submitted that the husband of the deceased is in custody.

The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Bath P.S. Case No. 36 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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