

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3200 of 2016

Arising Out of PS.Case No. -282 Year- 2013 Thana -JAMUI District- JAMUI

Raghunandan Mandal, So of Late Ramdhani Mandal, Resident of Village-
Maniyadda, Police Station and District- Jamui.

.... Petitioner

Versus The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Satish Chandra, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 17-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for bail in connection with Jamui P.S. Case No. 282 of 2013 (arising out of S. Tr. No. 16 of 2015) for the offences alleged under Sections 326, 307/34 and 302 of the Indian Penal Code having earlier been rejected twice by this Court by order dated 04.03.2015 in Criminal Miscellaneous No. 44678 of 2014 and order dated 29.07.2015 in Criminal Miscellaneous No. 16479 of 2015.

3. It is submitted that the petitioner has been falsely implicated only in connection with property dispute as evident from perusal of the fardbeyan itself. It is further submitted that after due investigation the police has submitted the charge sheet for the offences under Section 306 IPC though cognizance has been taken under Section 302 IPC. It is further stated that the petitioner,

who is of 70 years of age, has already suffered custody of about two years.

4. On a report being called for with regard to the present status of the trial it transpires that after the charges have been framed on 24.03.2015 summons and warrants of arrest have been issued for production of prosecution witnesses but, however, no prosecution witness has turned up before the learned trial court.

5. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-II, Jamui in connection with Jamui P.S. Case No. 282 of 2013 (arising out of S. Tr. No. 16 of 2015) with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner.

(ii) That the petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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