

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5431 of 2016

Arising Out of PS.Case No. -47 Year- 2010 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

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Mangara Miya @ Mangra Mian, son of Late Dahaur Miya, resident of
village-Phenhara, Khoda Nagar Tola, P.S. Phenahara, District-East
Champaran (Motihari).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 02-03-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.78 of 2015, arising out of Phenhara P.S. Case No.47 of
2010 registered under Sections 307 and 302/34 of the Indian Penal
Code.

Learned counsel appearing on behalf of the petitioner
submits that earlier the prayer of the petitioner for grant of bail
was rejected by this Court vide order dated 24.04.2014 passed in
Criminal Misc. No.36847 of 2013 on merit. It is further submitted
that it would appear from the F.I.R. itself that the co-accused
Kyamuddin is said to be caused injury to the deceased

Kamaluddin alias Kabir, cousin of the informant, through knife and at that time, this petitioner also caused injury to the deceased through lathi and handle of the hand-pump, who died, later on, in course of treatment. Further submission is that the petitioner is in custody since 18.03.2012 and at present, the Sessions Trial No.78 of 2015 in respect of the petitioner is pending for the prosecution evidence and out of the 7 witnesses cited in the charge-sheet, two have been examined.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 12th Additional Sessions Judge, East Champaran, Motihari, in connection with Sessions Trial No.78 of 2015, arising out of Phenhara P.S. Case No.47 of 2010.

(Rajendra Kumar Mishra, J)

P.S./-

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