

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6585 of 2016

Arising Out of PS.Case No. -104 Year- 2012 Thana -NATHNAGAR District- BHAGALPUR

=====

1. Naresh Mandal Son of Ram Mandal, Resident of Village - Bairiya, P.S. -
Nath Nagar, District - Bhagalpur. Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 07-04-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nath Nagar
P.S. Case No. 104 of 2012 registered for the offences punishable
under Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, Matra @ Matru Mandal was found killed by
unknown miscreants at the Basa of Bidra Mandal. During
investigation it transpires that the petitioner and co-accused were
having enmity prior to the occurrence and hence, they have killed
the brother of the informant.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner, there is no eye
witness of the occurrence and he has got no criminal antecedent.
The petitioner is suffering in custody since 07.12.2014 whereas

co-accused Manta @ Mantu Mandal has been allowed bail vide Cr. Misc. No. 27133 of 2013 by another co-ordinate Bench of this Court.

Learned APP fairly submits that the case of the petitioner is similar to that of co-accused.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 4, Bhagalpur in connection with Nath Nagar P.S. Case No. 104 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--