

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11751 of 2016

Arising Out of PS.Case No. -285 Year- 2014 Thana -RUPAULI District- PURNIA

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1. Niranjan Mandal Son of Sri Chandra Kishore Mandal Resident of Village
Tintanga Madhuwan P.S. Uda-Kishunganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ram Sumiran Roy(App)

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

4 04-07-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302/34 and 392 of the I.P.C and section
27 of the Arms Act.

Allegedly, Punkesh Kumar @ Pinku Sah was found
killed by the unknown miscreants and further the bag of son of the
informant wherein he used to keep the collection money and other
documents was also taken away. One motorcycle of the miscreants
and the motorcycle of son of the informant were also there. During
investigation the name of the petitioner transpires in the
confessional statement of co-accused Chano Mandal @
Chandrashekhar @ Chanwa.



Submission is of false implication, there is no legal and tangible material against the petitioner, the motorcycle which was found at the place of occurrence is not of the petitioner, nothing incriminating article has been recovered from possession of the petitioner and in this case similarly situated other co-accused, namely, Karelal Mandal @ Karuwa @ Shiv Kumar, Ratan Yadav and Rajesh Mahto have already been allowed bail by different co-ordinate Benches of this Court, there is no chance of tampering with the prosecution evidence and the petitioner is suffering in custody since 10.02.2015.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Purnea in S.T. No. 393 of 2015 arising out of Rupauli (Akbarpur O.P.) P.S. Case No. 285 of 2014, 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)

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