

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27122 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -SANGRAMPUR District- MUNGER

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Doman Mandal Son of Late Lootan Mandal, resident of village - Meharna
Tar, P.S. - Sangrampur (Tatia Bumber), Distt. Munger

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 07-09-2016

Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that on the alleged
date and time of occurrence there has been a dispute between
Prince Kumar son of Nagendra Mandal and informant's son Aman
Kumar on Nakchipa bridge. When the petitioner arrived there and
started assaulting both the boys and informant's husband, namely,
Damodar Mandal also came to pacify the quarrel, the accused
Biru Mandal and the petitioner started assaulting him from
behind, as a result her husband fell down from the said bridge. In
the meantime the informant arrived there and carried her injured
husband to the doctor for treatment, where he was declared dead.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 6.3.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is 70 years old. The alleged occurrence is said to have taken place due to petty quarrel between the children, who were playing together. In course of occurrence one lathi blow is alleged to have been given by the petitioner on the back of the deceased. At best, it is a case for an offence under Section 304 of the I.P.C. The other co-accused have been granted bail vide Annexure-2 to the present application.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and the petitioner has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Chief Judicial Magistrate, Munger in connection with Sangrampur (Tatiyabamber) P.S. case No.125 of 2015.

Narendra/-

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(Sudhir Singh, J)