

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50760 of 2016

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

Prabhu Mandal, S/o Doman Mandal, resident of Village- Mehrana Tar,
P.S.- Sangrampur (Tetia Bumber), Distt- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 05-12-2016 Heard the learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

Petitioner is languishing in judicial custody since
14.09.2016 in connection with Sangrampur (Tatiyabumber)
P.S.Case No.125 of 2015 for offence alleged under Sections
302/34 of the IPC.

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. Then the accused arrived there and
started assaulting both the boys and when informant's husband,
namely, Damodar Mandal also came to pacify the quarrel, the
accused Biru Mandal and the other started assaulting him from
behind, as a result of which her husband fell down from the said
bridge. The allegation is upon the petitioner and two others of
assaulting the deceased. In the meantime, the informant arrived
there and took her injured husband to the doctor for treatment,



where he was declared dead.

It has been submitted by the learned counsel for the petitioner that he is an innocent and general and omnibus allegations have been levelled against him. In fact, the deceased fell down from the bridge himself and the postmortem report also corroborates the said fact. He further submits that co-accused on similar allegation but who caused injury has since been granted the privilege of bail in Cr.Misc.No.27122 of 2016 on 07.09.2016 and there is only general allegation of causing injury by the petitioner.

In this regard, learned counsel for the petitioner brings to my notice Annexure-2 series by which bail has been granted to other co-accused.

However, learned counsel for the Informant submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Learned APP for the State opposes the prayer for bail.

Be that as it may, since other co-accused on similar allegations have since been granted the privilege of bail, let the above named petitioner 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 learned CJM, Munger in connection with Sangrampur (Tatiyabamber) P.S.Case No.125 of 2015.

B.Kr./-

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

(Nilu Agrawal, J)

