

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27425 of 2016

Arising Out of PS.Case No. -60 Year- 2014 Thana -BIHPUR District- BHAGALPUR

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Awadhesh Mandal S/o Ghanshyam Mandal R/o village - Amarpur, P.S.
Bihpur, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate
For the Opposite Party : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bihpur P.S. Case No. 60 of 2014 for the offences instituted
under Sections 341, 323, 324, 307 and 302/34 of the Indian Penal
Code.

The prosecution case is that Ashok Kumar Yadav
demanded his money from Nand Kishore Mandal when Nand
Kishore Mandal and his nephew Abhodh Mandal assaulted with
lathi to Ashok causing head injury. The mother of Ashok Yadav
came to rescue when she was also assaulted by them. The
petitioners are not named in the FIR. Their names subsequently
sprang up during investigation. Subsequently, Ashok Yadav

succumbed to the injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is not named in the FIR. His name has come in course of investigation. There is no direct or indirect evidence to suggest his implication in the present case. The other co-accused has been granted anticipatory bail by this Court vide Cr.Misc.No.17454 of 2016. There is a case and a counter case between the parties.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Bihpur P.S. Case No. 60 of 2014/G.R.No.226A of 2014** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **ACJM, Naugachia (Bhagalpur)**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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