

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4542 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -CHAUSA District- MADHEPURA

1. Mahendra Mandal Son of Late Kulo Mandal Resident of Village -
Parbatta Chousa (Fulaut), P.S. Chousa, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

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

3 29-03-2016 Heard the learned counsel for the petitioner and the
earned A.P.P. representing the State.

The petitioner seeks bail in connection with Chausa
P.S. Case No. 117 of 2015 registered for the offences
punishable under Sections 147, 148, 149, 448, 380, 307, 504 of
the Indian Penal Code and Sections 25(1-b)a, 26, 37 and 35 of
the Arms Act.

Allegedly, the petitioner, co-accused Khokho
Mandal along with 5-6 miscreants being armed, came at the
door of the informant, started abusing and then co-accused
Khokho Mandal entered into the house and took out cash of Rs.
50,000/- and ornaments and thereafter, the petitioner dragged
the informant and tying Gamchha but due to alarm being raised

by the labourers, son, nephew and brother of the informant run and then the petitioner opened fire which hit in the right leg and then the petitioner was caught with fire arm and cartridges whereas other co-accused fled away.

Submission is of false implication and that due to village politics, the petitioner has been implicated, after showing wrong recovery he has been implicated, resulting he is suffering in custody since 24.10.2015. Co-accused Khokho Mandal has been allowed bail, and as such, the petitioner also deserves sympathetic consideration as he has got no criminal antecedent, to which the learned APP opposes by submitting that the petitioner was caught with fire arm.

In the facts and circumstances stated above, the petitioner, above named, ***shall be released on bail after completion of nine months in custody*** 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 Chief Judicial Magistrate, Madhepura in connection with Chausa P.S. Case No. 117 of 2015, subject to the conditions that one of the bailors must be 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)

ajaypd./-

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