

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17885 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

- =====
1. Basuki Mandal Sonof Jhingur Mandal,
 2. Dinesh Mandal,
 3. Kailash Mandal, both sons of Banarsi Mandal, R/o Village Abhiya, P.S. Gopalpur, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan,

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-05-2016

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Gopalpur P.S. Case No. 177 of 2015, registered under Sections 147, 148, 149, 452, 307, 302, 323, 325, 436, 379, 341 and 342 of the Indian Penal Code and Section 3(2)(V) of SC/ST Act.

The accusation is that 18 persons named in the F.I.R. including the petitioner and 10 to 15 unknown variously armed with came at the door of the informant and started assaulting to cause injury in which Pandav Kumar Paswan sustained injury, who subsequently died.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the 18 named in the

F.I.R. including the petitioner to cause injury in which Pandav Kumar Paswan died. Further submission is that it would appear from the F.I.R. that no specific overt act has been attributed against the petitioners and they were simply a member of the mob. Further submission is that similarly situated co-accused, Vinod Mandal has already been granted privilege of bail by this Court vide order dated 28.03.2016 passed in Criminal Misc. No. 9070 of 2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 177 of 2015.

(Rajendra Kumar Mishra, J)

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