

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6706 of 2016

Arising Out of PS.Case No. -122 Year- 2015 Thana -KHARAGPUR District- MUNGER

Bablu Mandal Son of Late Mahadeo Mandal, resident of village - Kantiya Bazar, P.S. Kharagpur, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashutosh Kumar Verma, Advocate.

For the Opposite Party : Mr. Arun Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Kharagpur P.S. Case No. 122 of 2015, registered for the offences punishable under Sections 323, 341, 307, 302, 201 and 34 of the Indian Penal Code.

Allegedly one day prior to the occurrence the informant and her husband were assaulted by the petitioner and other FIR named accused for that no case was lodged and the next day the petitioner and other FIR named accused persons took away the deceased from his house subsequently his dead body was recovered near a bridge.

Submission is of false implication and that no one has seen the actual killing of the deceased. Admittedly there was some land dispute between the petitioner and the deceased and due to that taking the advantage of the death of Gurudeo Mandal the petitioner and others

have been implicated in this false case, other co-accused Maheshwar Mandal and Pappu Mandal have already been allowed bail by another coordinate Bench of this Court and the petitioner is suffering in custody since 30.06.2015 having no criminal antecedent.

The learned APP submits that the petitioner is named in the first information report.

In the facts and circumstances stated above, considering that two accused have already been allowed bail and as such the petitioner above named is directed to be released on bail 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 Sub-Divisional Judicial Magistrate, Munger in connection with Kharagpur P.S. Case No. 122 of 2015, subject to the conditions that one of the bailors must be a 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.)

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