

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17092 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -ALAMNAGAR District- MADHEPURA

- =====
1. Virendar Mandal @ Viren Mandal Son of Gholo Mandal.
 2. Mukesh Mandal, Son of Late Nityanand Mandal, Both Residents of Village- Bispatti, Police Station- Alamnagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 2 08-05-2017 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

The petitioners seek bail in connection with Alamnagar P.S. Case No. 19 of 2016 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 448 & 324 of the Indian Penal Code.

Allegedly, the petitioners and other F.I.R. named accused persons, after entering into the courtyard of the informant, started making altercation and when the informant asked, then the petitioner Virendra Mandal assaulted him with *Lathi* resulting broke out his one tooth and when the son of the informant came for rescue, he was also assaulted by petitioner no. 2 with axe



resulting head injury.

Submission is of false implication and that injury has been found on the person of the son of the informant which are simple in nature. The petitioners are in custody since 11.01.2017. There was no intention to commit the murder. There is no allegation for repeating the axe blow and, as such, the petitioners deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that injury found on the person of the son of the informant, namely, Dharmendra Mandal are simple in nature and chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, above named petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Udakishunganj, Madhepura in connection with Alamnager P.S. Case No. 19 of 2016 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on



their part without any reason shall disentitle the petitioners from
privilege of bail.

(Jitendra Mohan Sharma, J)

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