

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.562 of 2017

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

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1. Sunil Mandal Son of Late Gajo Mandal R/o Village-Abhiya, P.S.
Gopalpur District Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar
2. Awadhesh Paswan Son of late Nathuni Paswan R/o Village Amihya, P.S.
Gopalpur, District Bhagalpur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan
For the Respondent/s : Smt Usha Kumari No-1
For opposite party no. 2 : Mr. Narendra Kumar.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-05-2017 The appellant seeks regular bail in connection with Gopalpur P.S. Case No. 177 of 2015, registered for offences punishable under Sections 147, 148, 149, 452, 307, 302, 323, 325, 436, 379, 341, 342 Indian Penal Code and Section 3(2) (v) of SC/ST Act.

Allegation against the appellant that he along with other co-accused persons assaulted the son of the informant, due to which he died.

It has been submitted on behalf of the appellant that no specific allegation of has been assigned to the appellant and though it is alleged that the appellant was armed with katta, however, other co-accused having more serious allegation than the



appellant has already been granted bail by this Court vide order dated 27.09.2016, passed in Criminal Appeal (SJ) No. 644 of 2016. Appellant has been in judicial custody since 28.11.2016.

Learned Special Public Prosecutor as well as learned counsel for the informant opposed the prayer for bail.

Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and the nature of allegation and also other co-accused has already been granted bail, as such, this appeal is allowed, the appellant, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Naugachia, District – Bhagalpur, in connection with Gopalpur P.S. Case No. 177 of 2015, after setting aside the order dated 16.01.2017, passed by learned 1st Additional Sessions Judge, Naugachia.

(Vinod Kumar Sinha, J)

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