

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20716 of 2017

Arising Out of PS.Case No. -639 Year- 2008 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Tilai Mandal Son of Late Tej Narayan Mandal, Resident of Village-
Usari, P.S.- Biroul, District- Dharbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Somni Devi @ Bimal Devi , W/o Umesh Mandal, D/o Debu Mandal, At
present R/o Bela, P.S.- Hathauri, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Adv.

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha. APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2017 The petitioner seeks regular bail in connection with C.R.

No. 639 of 2008, T.R. No. 1230 of 2017, registered for offences
punishable under Section 323, 498A. 494, 504/34 of the Indian
Penal Code.

It has been submitted on behalf of the petitioner that
petitioner is *devar* of the complainant and this is a case of misuse
of privilege of bail, however, it has been submitted by learned
counsel for the petitioner that now the matter has been
compromised between the parties and other accused persons
including husband of the complainant has already been granted
bail and the petitioner could not surrender earlier as he was in
Gujarat. It has further been submitted that now petitioner has



remained in custody for more than two months and has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact and circumstances of the case and also from perusal of the impugned order itself, it appears that now the case has been compromised between the parties and petitioner has remained in custody for more than two months, as such, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 1st Class, Rosera, Samastipur in connection with C.R. No. 639 of 2008, T.R. No. 1230 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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