

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23391 of 2017

Arising Out of PS.Case No. -49 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

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Pankaj Mandal, Son of Chalitar Mahato, Resident of Village- Tikarampur,
Ramdhan Tola, P.S. Naya Ram Nagar, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in custody since 20.10.2016
in connection with Sessions Trial No. 54/2017, arising out of
Muffasil P.S. Case No. 49/2013 for the offences alleged under
Sections 302, 201/34 of the Indian Penal Code and 27 of the Arms
Act.

The prosecution case, as lodged by the informant, is
that his brother went for land measurement work but did not
return. It was suspected that he has been killed. First Information
Report was lodged against unknown.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated in the



aforesaid case. He submits that there is no eye witness to the alleged occurrence and the witnesses have only stated that the dead body was being taken by the petitioner and others. It is submitted that on similar allegation another co-accused has been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 9787 of 2015 on 04.05.2015. It is further submitted that the charge-sheet has already been submitted, trial has begun, hence, there is no chance of tampering with the prosecution evidence and it is only on the basis of circumstantial evidence that the petitioner has been made accused.

However, learned A.P.P. for the State submits that, although, the First Information Report is against unknown, but during course of investigation the complicity of the petitioner came to the fore, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-1st, Munger, in connection with Sessions Trial No. 54/2017, arising out of Muffasil P.S. Case No. 49/2013, subject to the condition that the petitioner will appear before the learned Court below on each and every date and failure



to appear on two consecutive dates without assigning any reason
will entail cancellation of his bail bond.

(Nilu Agrawal, J)

Rajesh/-

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