

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30144 of 2017

Arising Out of PS.Case No. -148 Year- 2007 Thana -GOPALPUR District- BHAGALPUR

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1. Jalo Mandal, Son of Narayan Mandal, Resident of Village- Narayanpur
Chandi Asthan, P.S. Gopalpur (Ismilepur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017

Heard the parties.

The petitioner seeks regular bail in connection with
S.T.No.341 of 2017 (arising out of Gopalpur P.S.Case No.148 of
2007) registered for offences punishable under Sections 302/34 of
the Indian Penal Code.

Allegation against the petitioner, as per F.I.R., is that
he along with the other accused persons have fired upon him.

Submission of the learned counsel for the petitioner is
that the case was found true against the petitioner and the final
form was submitted by the police however, the learned Judicial
Magistrate differing with the opinion has taken cognizance against
him. The petitioner is in custody for about five months, however,
according to the F.I.R. there is no allegation of assault by this



petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.1st, Naugachia, Bhagalpur in connection with S.T.No.341 of 2017 (arising out of Gopalpur P.S.Case No.148 of 2007)

With 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 co-operate 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 reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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