

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1648 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -AMARPUR District- BANKA

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Bikash Mandal @ Rabindra Kumar Mandal @ Rabindra Mandal son of
Mahendra Mandal, resident at Sijhua, PS-Amarpur, District-Banka.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Neelam Kumari, Adv.

For the Respondent/s : Sri Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 This appeal is for grant of regular bail in connection

with Amarpur P.S. Case No. 65 of 2017 registered for the offence

under section(s) 147, 148, 149, 302 and section(s) 3 (2) (V) of the

SC/ST Act.

Submission of the learned counsel for the appellant is

that the appellant is owner of coal depot and the FIR itself shows

that the deceased entered inside that depot with intention to

commit theft and in that course, some body has seen him and

thereafter, he has been assaulted by some other persons and there

is no specific allegation of assaulting against the appellant, which

will appear from 61 of the case dairy and the appellant is in

custody for more than four months.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the facts and

circumstances, as stated above, this appeal is allowed and the



impugned order is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka/Successor Court in connection with Amarpur P.S. Case No. 65 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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