

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17853 of 2017

Arising Out of PS.Case No. -126 Year- 2015 Thana -TIKAPATTI District- PURNIA

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1. Bijal Mandal@ Vijal Mandal S/o Bideshi Mandal @ Videshi Mandal R/o
 Baghwa Basa, P.S. Tikapatti, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 05.07.2017

Heard learned counsel for the petitioner as well as learned
 Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 7.2.2016 on the accusation
 that he assaulted on the stomach of the deceased as a result of which
 deceased died after two days of the alleged occurrence. Post mortem
 report of the deceased goes to show that one non-continuous crescentic
 shaped bruise was found on the left side of abdominal wall 4" X 1/4"; 3
 and doctor found nature of the aforesaid injury grievous and
 dangerous to life in ordinary course of nature. The cause of death is
 said to be haemorrhage and shock.

Learned counsel appearing for the petitioner submits that
 fact of the present case reflects that the alleged occurrence took place
 on account of petty dispute due to sudden provocation and moreover,
 trial of the petitioner could not be concluded though the petitioner is in
 jail custody for more than one and half year.



No doubt, earlier prayer for bail of the petitioner was rejected by this court vide order dated 21.6.2016 passed in Cr. Misc. no. 25445/2016 but the aforesaid order was passed on infancy stage of the case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge I, Purnea in Sessions trial no. 308 of 2016/ 425 of 2016 arising out of Tikapatti P.S. Case no. 126/2015.

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(Hemant Kumar Srivastava,J)

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