

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47248 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -SAHKUND District- BHAGALPUR

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Chhotu Mandal @ Chhotelal Mandal Son of Sundar Lal Mandal, Resident
of Village- Lauka , P.S.- Harigaon, District- Sitapur (U.P.).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.08.2016 in connection with Sahkund (Sajour) P.S. Case No. 122 of 2016 for the offences alleged under Sections 302, 201 and 120B/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in the background of land dispute. It is further submitted that accused no. 1 is the father-in-law and accused no. 2 is the brother-in-law of the informant, whereas the petitioner is the *Nandosi* of the informant. The dispute with regard to the land is with accused nos. 1 and 2 and the petitioner is an outsider for this purpose. It is also submitted that there is no eye-witness to the alleged occurrence and the petitioner has been implicated on mere suspicion. Accused nos. 1 and 2, namely, Naresh Mandal and Amit Kumar have been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 13680 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Sahkund (Sajour) P.S. Case No. 122 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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