

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34440 of 2017**

Arising Out of PS.Case No. -188 Year- 2017 Thana -BANKA District- BANKA

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1. Gyandeep Mandal, son of Bijay Mandal, Resident of Village- Jitarpur,  
Police Station- Banka, District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Jai Narain Thakur

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      09-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in custody since 29.05.2017 in  
connection with Banka P.S. Case No. 188/2017 for offences  
punishable under Sections 147, 149, 337, 353, 431, 427, 438 of the  
Indian Penal Code.

The prosecution case, as lodged by the Circle Officer,  
Banka before the police, is that on 03.04.2017 at 8.00 A.M. he got  
information that a school going student has been crushed to death  
by a truck, thereafter a mob of 400-500 people assembled on the  
road near the dead body. When the informant reached the site the  
petitioner along with 34 other named accused persons resorted to  
pelting stones and the petitioner is alleged to have burnt the truck.



It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case, petitioner was made accused only on the basis of hearsay and that no Test Identification Parade has been done so far. He submits that he does not have any criminal antecedent, is a student who has his college nearby and it was a mob attack. He further submits that other named accused have been granted privilege of bail, one of them being Cr. Misc. No. 29210 of 2017 on 06.07.2017 by a Coordinate Bench of this Court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 188/2017.

**(Nilu Agrawal, J)**

Rajesh/-

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