

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43854 of 2017

Arising Out of PS.Case No. -375 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. Dhananjay Mandal Son of Bhagwan Mandal , R/o Village- Kodwar ,
P.S.- Ghogha (Kahalgaon) District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.
For the Informant : A.N. Jha, Adv.
For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
21.03.2017 in connection with Kahalgaon (Ghogha) P.S. Case No.
375 of 2016 for offences punishable under Sections 147, 148, 149,
307, 506, 504 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, as lodged by the informant, is
that while he was sitting on the door of one Pramod Mandal along
with villagers, the petitioner along with four others and four un-
known persons came and started indiscriminate firing on which he
was grievously injured and brought to the hospital.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent. In fact, the informant was himself a veteran criminal and has been involved in cases of very serious nature and must have been injured some where else but because of political rivalry as informant is the husband of the present Mukhiya, the petitioner has been falsely implicated. He submits that general and omnibus allegations of firing is upon eight persons and there are only three wounds although, grievous in nature but cannot be attributable to the petitioner. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel for the informant opposes the prayer of bail stating therein that the injuries have been found on the left shoulder near the chest and abdomen by fire arm and have been found to be grievous in nature.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that general and omnibus allegations have been levelled against the petitioner, let the 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, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 375 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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