

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38470 of 2017

Arising Out of PS.Case No. -439 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Tibha Mandal Son of Late Chunchun Mandal, resident of Village-
Pannuchak, P.S. Ghogha, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
Mr. Navjot Yesu, Advocate

For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 19-08-2017

Heard learned counsel for the petitioner. No one appears on behalf of the State.

Petitioner, in the present case, is seeking regular bail in connection with Sessions Trial No. 534/2017 (arising out of Kahalgaon (Ghogha) P.S. Case No. 439 of 2016), registered for the offence punishable under Sections 147, 148, 149, 307 of the Indian Penal Code.

A perusal of the First Information Report (in short the "FIR") would show that there is an allegation of firing by this petitioner which hit upon the hip of the informant. A simple injury has been found by the doctor, which is evident from the injury report enclosed as Annexure-2 to the present application. According to the learned counsel, the present petitioner has been falsely implicated because of some political rivalry. The informant is son of the Mukhiya of the Gram Panchayat Ghogha and the present petitioner had earlier participated



in the election in which the informant and his mother who is Mukhiya were against this petitioner, the petitioner is in custody since 06.03.2017.

It is further submitted that the petitioner has been falsely implicated in the present case only for the said reason.

Considering the facts and circumstances of the case particularly the nature of injury and the period of custody of the petitioner, I am inclined to grant regular bail to the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 4th Additional District & Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 534/2017 (arising out of Kahalgaon (Ghogha) P.S. Case No. 439 of 2016), subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

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