

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52113 of 2017

Arising Out of PS.Case No. -27 Year- 2013 Thana -BARIYARPUR District- MUNGER

=====

Anil Mandal Son of Narsingh Mandal Resident of village- Jhauwa Bahiyar,
P.S.- Harinmar, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Anish Chandra

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Sessions Trial No. 126 of 2016, arising out of Bariarpur P.S. Case No. 27 of 2013 dated 24.03.2013 instituted for the offences under Sections 302, 201, 120B/34 of the Indian Penal Code.

The son of the informant viz. Ashok Yadav was dragged down from a tractor and was taken to the maize field. Thereafter, it has been alleged in the F.I.R that on the orders of co-accused Mritunjay Yadav and Santa Yadav, some of the named accused persons assaulted Ashok Yadav by means of spade and sharp cutting weapon. Later, his head was also chopped off and taken away. The cause of the occurrence, as has been stated in the F.I.R, is old enmity with Mritunjay Yadav and his brother and father who were made accused in a murder case and the informant



was being pressurized for compounding that case.

Learned counsel for the petitioner has submitted that though the petitioner has been named in the F.I.R but neither any weapon has been attributed nor any specific overt act has been alleged against him. He is in custody since 15.01.2016.

After the submission of charge-sheet, charges have also been framed against the petitioner on 30.11.2016 but till date not a single prosecution witness has been examined.

Taking into account the period of custody of the petitioner and that he is not alleged to have committed any overt act in the entire transaction, this Court is inclined to grant bail to him.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Munger, arising out of Sessions Trial No. 126 of 2016, arising out of Bariarpur P.S. Case No. 27 of 2013.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

