

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53031 of 2016

Arising Out of PS.Case No. -134 Year- 2015 Thana -AMDABAD District- KATIHAR

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1. Angad Mandal son of Late Binod Mandal resident of village - Gaurikant Tola, P.S. Amdabad, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Section 302/34 of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence, the informant got information that his father is lying unconscious, upon which the informant with his son Bikram Mandal went at the place of occurrence and found that his father was lying there and blood was oozing out. On query, one Gopal Mandal said that co-accused Damodar Mandal along with 4-5 persons assaulted the father of the informant by lathi-danda. The informant brought his father at Amdabad hospital for medical treatment.

The learned Sessions Judge in the impugned order



mentioned about the statement of the eye witnesses in para nos. 97, 98, 99, 100 and 101 of the case diary which clearly states that petitioner along with other co-accused assaulted the deceased by using iron weight (batt) and rod.

It has been submitted that besides such allegation, the petitioner has no criminal antecedent and the petitioner is said to be in custody since 30.08.2016.

Considering the above facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Amdabad P. S. Case No. 134 of 2015 to the satisfaction of learned Shri B.K. Choudhary, Judicial Magistrate, Ist class, Katihar subject to condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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