

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28790 of 2017

Arising Out of PS.Case No. -156 Year- 2015 Thana -SONO District- JAMUI

- =====
1. Shankar Mandal, son of late Karman Mandal,
 2. Shyam Sundar Mandal, son of late Basudeo Mahto @ Baso Mandal,
both are residents of village- Kendua Lewar, P.S.- Sono, District -
Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-07-2017

This application has already been dismissed as withdrawn in respect of the petitioner No.2, Shyam Sundar Mandal, vide order dated 01.07.2017, since he was arrested.

Heard learned counsel for the Petitioner No.1 and the State.

The Petitioner No.1 apprehends his arrest in Sono P.S. Case No.156 of 2015 instituted for the offence under Section(s) 302, 379/34 Indian Penal Code.

It has been submitted that the petitioner No.1 is not named in the First Information Report. He is the full brother of the deceased. His name has been disclosed for the first time by the mother of the informant in para 14 of the case diary that he had bad eye on the daughter of the informant.

From the impugned order of the Sessions Judge, it



appears that mere suspicion has been raised against this petitioner in different paragraphs.

In the facts and circumstances of the case, prayer of the petitioner No.1 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner No.1, namely, Shankar Mandal, within six weeks from today in connection with Sono P.S. Case No.156 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Jamui, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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