

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13946 of 2017

Arising Out of PS.Case No. -416 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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Ashok Kumar Mandal @ Milan Mandal, son of Late Rameshwar Mandal,
resident of Village- Sapta, Chhotaipatti, P.S. Rahika, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Madhubani Town P.S.Case No. 416 of 2015 registered for the offences punishable under Sections 395, 397 of the Indian Penal Code and 27 of the Arms Act, including 3/4 of Explosive Substance Act.

Petitioner is not named in the FIR and the case is under Sections 395 and 397 IPC. It further appears from the impugned order that the case has been committed to the court of sessions and in this case a report was called for and the report shows that not a single witness has been examined in this case.

It has been submitted on behalf of the petitioner that except confessional statement there is nothing against the



petitioner and no T.I. Parade has been held and there is no recovery from him and he is in custody since 5.2.2016. About criminal antecedents, it has been submitted that petitioner has been made accused in two other cases on the basis of confessional statement also.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-II, Madhubani, in connection with Sessions Trial No. 107 of 2016 and Sessions Trial No. 208 of 2016, arising out of Madhubani P.S.Case No. 416 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required



by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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