

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38593 of 2017

Arising Out of PS.Case No. -420 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Ranjan Mandal son of Late Prakash Mandal resident of Amba Baisa, P.S.
Kahalgaon, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 19-08-2017

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Kahalgaon P.S. Case No. 420/2016, G.R. No. 4093/16 registered for the offence punishable under Sections 341, 323, 307, 385, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the First Information Report (in short the "FIR") it is alleged that this petitioner was asking for a sum of Rs. Two lacs as Rangdari for doing the cultivation work. It is further alleged that in the FIR that one Vishwakarma Mandal had given a blow on the head of the informant by iron *Khanti* and the two co-accused Narayan Mandal and



Paras Mandal had been indulged in putting a towel in the neck of the informant.

The allegation against the petitioner is that he along with one Digambar Mandal had put down this informant on the earth and caught hold of his hands. Learned counsel submits that Digambar Mandal and Paras Mandal both have been granted privilege of regular bail by a coordinate Bench of this Court in Cr. Misc. No. 34808/2017 vide order dated 03.08.2017. There is no allegation of assault against this petitioner. He would further submit that although there are two cases on his head, but in both the cases the petitioner has been granted bail.

On the other hand, learned Additional Public Prosecutor opposes the prayer of bail of the petitioner and submitted that the petitioner has got criminal antecedent.

Considering the facts and circumstances of the case particularly the nature of allegation in the present case against 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon P.S. Case No. 420/2016, G.R. No. 4093/16, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure, and further condition that if the petitioner would indulge in any similar activity in future and a prima facie case is found against him, the bail bond of the petitioner in the present case shall also be cancelled.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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