

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42636 of 2017

Arising Out of PS.Case No. -428 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Mithlesh Mandal, son of Ganauri Mandal, R/o Village- Kahalgaon,
(Choudhari Tola), P.S.- Kahalgaon, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Kahalgaon P.S. Case No. 428 of 2016 registered for the offences punishable under Sections 414 of the Indian Penal Code and 25(1-B)(a), 26 & 35 of the Arms Act.

Petitioner is named in the FIR but it appears that nothing has been recovered from his possession.

Submission of learned counsel for the petitioner is that he has been made accused only because of the fact that he has criminal antecedents and the co-accused, from whose possession recovery has been made, has been granted bail in Cr.Misc.No. 33697 of 2017, vide order dated 20.7.2017 by a co-ordinate Bench of this Court. Further submission is that he is in custody since 6.12.2016 and petitioner is on bail in other cases.



Heard learned APP also.

Having heard both sides and in view of facts and circumstances, let petitioner, above named, 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon P.S. Case No. 428 of 2016, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioner will mark his attendance in local police station in first week of every month till conclusion of trial, so that police may watch his conduct during pendency of trial, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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