

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42190 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -CHAKAI District- JAMUI

=====

Baso Mandal Son of Rameshwar Mandal, R/o Village- Billi, P.S.- Chakai,
Dist.- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
02.02.2017 in connection with Chakai P.S. Case No. 08 of 2017
for offences punishable under Sections 147, 148, 149, 121A,
121B, of the Indian Penal Code, 25 (1-b) A/26/35 of the Arms Act
and Section 16, 17, 18, 19, 20, 21 and 22 of the U.A.P. Act.

The prosecution case, as lodged by the police
personnel, is that on information that a Munsif of construction
company has been killed and on search one Sukra Kisku was
apprehended and on his confession, on raid some money was
recovered from the house of Baijnath Hembrem and on disclosure
the house of petitioner was also searched and from his possession



one country made pistol and one live cartridge was recovered. All the accused persons were alleged to be active members of a Maoist group. Accordingly, the seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. It has further been submitted that he owns kirana shop and due to dirty village politics he has been named by the witnesses, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent and is involved in two more cases of similar and more serious nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2nd Jamui in connection with Chakai P.S. Case No. 08 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property who will file an affidavit stating his



relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

