

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51685 of 2017

Arising Out of PS.Case No. -117 Year- 2015 Thana -SHAHKUND District- BHAGALPUR

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Pradeep Mandal @ Pradeep Kumar Mandal, Son of Late Chandeshwar Mandal, Resident of Village- Paridominia, P.S.- Shahkund, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Dr. Manoj Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 29.08.2017 in connection with Shahkund P.S. Case No. 117 of 2015 for the offences alleged under Sections 147, 148, 149, 323, 354A, 324, 354B, 307, 379 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 and 4 of the Prevention of Witch Practice Act.

3. It is submitted that the petitioner has been falsely implicated in connection with a longstanding land dispute between the parties in connection with which three other cases have also been instituted in which the petitioner has been made accused in the past. The accusation of firing as alleged against the petitioner is baseless and no injury has been caused to any person. The other offences alleged are merely to add gravity but there is no substance in the accusation. There is no eye witness to the occurrence.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur, in connection with Shahkund P.S. Case No. 117 of 2015, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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