

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4673 of 2017

Arising Out of PS.Case No. -120 Year- 2016 Thana -KASBA District- PURNIA

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1. Yogendra Mandal Son of late Nand Kishore Mandal, Resident of Village/Mohalla- Dogachhi, P.S.- Kasba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Anil Kumar

For the Informant : Mr. Ramprawesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 The petitioner is in custody since 22.11.2016 in connection with Kasba P.S. Case No. 120 of 2016, registered for offences punishable under Sections 341, 323, 354(B),504,506 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that in this case the informant is the own nephew of the petitioner and there is delay of nine days in lodging the F.I.R. and earlier to the present occurrence, the petitioner had already lodged a complaint case against the informant' side. It has further been submitted that out and out false implication has been made against this petitioner due to the fact that grandfather of the informant, who happens to be the father of the petitioner, transferred his property through a gift deed in favour of the petitioner's wife and the petitioner has



been in judicial custody for about three months.

Heard learned A.P.P. and learned counsel for the informant. Learned counsel for the informant opposed the prayer for bail and submitted that petitioner earlier also had tried to outrage the modesty of the victim girl and, therefore, he may not be allowed the privilege of regular bail.

Having heard both sides, considering the fact that there is case and counter case between the parties and there is existing land dispute also and also the petitioner happens to be the own uncle of the informant, and has been in judicial custody since 22.11.2016, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Kasba P.S. Case No. 120 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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