

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34266 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -SABOUR District- BHAGALPUR

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Manikant Mandal, Son of Shankar Mandal, Resident of Village- Farka,
P.S. Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sabour
(Goradih) P.S. Case No. 10 of 2017 for offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that when he reached his village, he was informed that co-accused
Punam Tanti has been caught by the villagers and kept. He further
came to know that the petitioner along with other three co-accused
persons have killed his son on the dispute regarding some money
received for cleaning of Pokhar.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been made accused only on the ground of suspicion. He submits that he has no criminal antecedent and that on the confessional statement of Punam Tanti before the police which has no evidentiary value in the eye of law, has been made accused. He submits initially a U.D. case was registered being U.D. Case No. 02 of 2017 by the Railway personnel as the dead body was found near the railway track. He submits that other co-accused persons have been granted privilege of bail by this Court on similar allegations in Cr. Misc. No. 33619 of 2017 on 19.08.2017 and Cr. Misc. No. 38412 of 2017 on 21.08.2017. It is further submitted that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 05.05.2017.

However, learned APP for the State opposes the prayer for bail.

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-X, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 10 of 2017 subject to the



conditions:-

- (i) That one of the bailors would 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 assigning any reason will entail cancellation of his bail bonds.
- (iv) The petitioner shall co-operate 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 his bail bonds.

(Nilu Agrawal, J)

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