

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33857 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

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1. Mukesh Mandal @ Khusra Mandal Son of Late Moti Mandal, R/o
Village- Maheshi, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. 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 S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2017 The petitioner seeks regular bail in connection with

Akbaragar P.S.Case No.123 of 2016, registered for offences

punishable under Sections 307 and 34 of the Indian Penal Code.

Allegation against the petitioner is of firing on the
informant, which crossed through his ear causing simple injury to
him.

Submission of the learned counsel for the petitioner is
that there is enmity between the parties, Title Suite is pending
earlier to lodging of this case, father of the petitioner was killed by
the informant and others and for that mother of the petitioner has
lodged a case under Section 302 of the IPC and the petitioner is in
custody for about five months. Further the allegation of firing is
on two persons whereas there is only one injury.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 learned A.C.J.M. Ist, Bhagalpur, in connection with Akbarnagar P.S.Case No.123 of 2016.

With 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 threaten to the informant or any of the witnesses in this case otherwise his bail bond shall be cancelled.
- (iii) The petitioner shall co-operate 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 reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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