

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26048 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -JANKINAGAR District- PURNIA

=====

1. Nakul Mandal S/o Ramdeo Mandal, resident of Village- Rampur Tilak,
Goriyari Tola, P.S.- Jankinagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Matloob Rab

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 24.06.2016 in connection with Sessions Trial No. 462/2016 & CIS-474/16, arising out of Jankinagar P.S. Case No. 68/16 for offences punishable under Sections 302, 201, 120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the brother of the deceased, is that his sister was taken away by the petitioner and along with accused persons killed her due to land dispute.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. The petitioner has not committed any overt act and charge-sheet has already been submitted, hence, there is no chance



of tampering with the prosecution evidence. He submits that another co-accused Ganesh Yadav along with other co-accused have since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 23126 of 2017 on 10.05.2017. It is submitted that even in his confessional statement before the police petitioner has stated that he has committed no overt act and neither the witnesses have stated that the petitioner committed any overt act.

However, learned APP for the State submits that the petitioner was responsible for taking her to the house of Abhinandan Yadav and other co-accused, who had a family dispute between them and petitioner along with other co-accused was instrumental in killing the sister of the informant, hence, opposes the prayer for bail.

Considering the facts and circumstances and that other co-accused have been granted the privilege of bail, 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 3rd Addl. District and Sessions Judge, Purnea, in connection with Sessions Trial No. 462/2016 & CIS-474/16, arising out of Jankinagar P.S. Case No. 68/16, subject to the condition that one of the bailors would be a close relative of



the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and 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.

(Nilu Agrawal, J)

Rajesh/-

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

