

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53034 of 2017

Arising Out of PS.Case No. -450 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. Mantu Mandal @ Manta Mandal, S/o Late Rameshwar Mandal, Resident of Village- Kodwar, P.S.- Ghogha (Kahalgaon), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with Kahalgaon (Ghogha) P.S.Case no.450 of 2016 registered for offences punishable under Sections 147, 149, 448, 342, 323, 379, 504, 506 of the Indian Penal Code and later on Section 302 of the IPC has been added.

Petitioner is not named in the FIR. The case is under Section 302 of the IPC and other Sections of the IPC.

Submission of the learned counsel for the petitioner is that later on his name transpired during the course of investigation of the case stating that he was also present there. Specific allegation is against the co-accused Jay Prakash Mandal of assault and the post mortem report does not support the prosecution case. He is in



custody for four months.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Kahalgoan (Ghogha) P.S.case No.450 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 induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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